

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Document # 244

AEGIS INSURANCE et al ~~vs. [REDACTED]~~

U.S.C.A. # 09-3603

-v-

U.S.D.C. # 02-cr-7188

JUDGE: AKH

PORT: Auth. of N.Y.

DATE: 10/19/09

**INDEX TO THE RECORD ON APPEAL**

PREPARED BY (NAME): A.B. OREN

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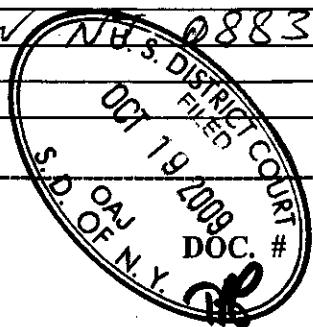
DISTRICT COURT DOCKET ENTRIES

DOCUMENT DESCRIPTION

CLERK'S CERTIFICATE

SEE ATTACHED LIST OF NUMBERED DOCUMENTS

ORIGINAL RECORD



The record in the above entitled case was indexed to the U.S.C.A.  
for the Second Circuit on the 19<sup>th</sup> Day of Oct, 2009.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

AEGIS IWS et al

U.S.C.A. # 09-3603

-V<sub>as</sub>

U.S.D.C. # 02 - CV - 7188

JUDGE: A K H

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## **CLERK'S CERTIFICATE**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 through 243 inclusive, constitutes the Original Record On Appeal in the above entitled proceedings except for the following missing documents:

Date Filed

## Document Description

9/21/05 Motion to Dismiss

In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York,  
this 14 Day of Oct, In this year of our Lord, Two Thousand and Nine, and the Independence of the  
United States this 234<sup>TH</sup> year.

**J. Michael McMahon, Clerk**

By *M. O. S.*  
Deputy Clerk

APPEAL, CLOSED, ECF, RELATED

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:02-cv-07188-AKH**  
**Internal Use Only**

Aegis Insurance, et al v. Port Auth. of N.Y.

Assigned to: Judge Alvin K. Hellerstein

Demand: \$0

Lead case: [1:21-mc-00101-AKH](#)Member case: [\(View Member Case\)](#)Related Cases: [1:02-cv-07170-AKH](#)[1:04-cv-02811-AKH](#)[1:07-cv-10582-AKH](#)

Case in other court: U.S. Court of Appeals, Second Circuit, 09-03603-cv

Cause: 28:131 Fed. Question: Other

Date Filed: 09/10/2002

Date Terminated: 07/27/2009

Jury Demand: Defendant

Nature of Suit: 380 Personal Property: Other

Jurisdiction: Federal Question

Sep 10 →  
9/30

Date Filed	#	Docket Text
09/18/2002		CASE REFERRED TO Judge Alvin K. Hellerstein as possibly similar to 1:02cv6885. (rmo) (Entered: 09/23/2002)
09/18/2002	1	COMPLAINT filed. Summons issued and Notice pursuant to 28 U.S.C. 636(c). FILING FEE \$ 150.00 RECEIPT # 449758. (rmo) (Entered: 09/23/2002)
09/18/2002	2	RULE 1.9 CERTIFICATE filed by Aegis Insurance, Liberty Int'l, National Union Ins., Nuclear Elec. Ins., Underwriters, Con. Ed. Co. of N.Y. (rmo) (Entered: 09/23/2002)
09/26/2002	3	Notice of Case Assignment to Judge Alvin K. Hellerstein . Copy of notice and judge's rules mailed to Attorney(s) of record: Stanley W. Kallman . (gmo) (Entered: 10/01/2002)
09/26/2002		Magistrate Judge Theodore H. Katz is so designated. (gmo) (Entered: 10/01/2002)
09/27/2002		ORDER; plaintiffs in cases 02cv7174, 02cv7171, 02cv7176, 02cv7177, 02cv7179, 02cv7188, 02cv7198, and 02cv7224 and defendants The Port Authority of New York and New Jersey; Minouri Yamasaki Assoc.; Emery Roth and partners LLC; Emery Roth and Sons P.C.; Skilling Ward Magnusson Barkshire; Leslie E. Robertson Associates; Tishman Realty & Construction Co.; and Silverstein Properties Inc. are ordered to appear for a conference on 10/3/02 at 10:00 a.m. in Courtroom 14D of the Federal Courthouse located at 500 Pearl Street in Manhattan. The purpose of this conference will be to discuss the management of, and discovery in, cases alleging design defects in the World Trade Center. The other defendants in these actions, and other parties to the September 11 consolidated litigation, may, but are not required to, attend this conference, and I suggest that Liaison counsel's attendance would be sufficient . ( signed by Judge Alvin K. Hellerstein ); Original document filed under case no. 02cv7171 (AKH), doc. #3. (kkc) (Entered: 10/02/2002)
09/30/2002		Case accepted as related to 1:02cv6885. Notice of assignment to follow. (gmo) (Entered: 10/01/2002)
10/28/2002		ORDER, that every plaintiff who has filed a Summons and Complaint in this Court in the referenced cases seeking damages arising out of the 9/11/01 terrorist attacks shall forthwith serve the Summons and Complaint upon each defendant named in the pleadings and file proof of service with the Clerk of the Court ; On or before 12/3/02, the Plaintiffs' Executive Committee shall file and serve one or more "Master Complaints" for the listed actions upon all defendants named in said actions and said Master Complaint shall embrace all causes of action asserted by the plaintiffs in their individual Complaints on or before 2/3/03 ; Subject to further order of this Court, the time for defendants in the references actions to answer or move with respect to the individual Complaints served upon them is extended to 1/31/03 ; All Counsel are advised that the Court has established a website at www.nysd.uscourts.gov/Sept11Litigation.htm which includes this Court's Rules of Practice and Orders relating to the 9/11/02 Tort Litigation. Counsel and defendants shall provide updated master list and copies of complaints to the Court and to each other as further set forth herein . ( signed by Judge Alvin K. Hellerstein ); Original entered in case #02cv7171, doc. #4. (tp) (Entered: 10/29/2002)
12/04/2002	4	AFFIDAVIT OF SERVICE of summons and complaint as to Port Auth. of N.Y. by Genara Torrez on 11/27/02 . . (sb) (Entered: 12/09/2002)
01/29/2003		Case accepted as related to 1:02cv7170. Notice of assignment to follow. (jol) (Entered: 02/05/2003)
01/29/2003	5	Notice of Case Reassignment to Judge John G. Koeltl . Copy of notice and judge's rules mailed to Attorney(s) of record: Stanley W. Kallman . (jol) (Entered: 02/05/2003)
02/03/2003	6	ORDER, another conference in this action will be held on 6/18/03 at 5:00 p.m. ( signed by Judge John G. Koeltl ); (sac) (Entered: 02/10/2003)
05/22/2003	7	NOTICE of attorney appearance for Port Auth. of N.Y. by Beth D. Jacob. (cd) (Entered: 05/29/2003)

09/03/2003	8	STIPULATION and ORDER; answer due to complaint for 11/1/03 for Port Auth. of N.Y. ( signed by Judge John G. Koeltl ) (jco) (Entered: 09/05/2003)
10/07/2003	9	STIPULATION; reset answer to the complaint due for 3/2/04 for Port Auth. of N.Y. . ( signed by Judge John G. Koeltl ) (pl) (Entered: 10/07/2003)
12/09/2003	10	AMENDED COMPLAINT amending 1 Complaint against Port Authority of New York & New Jersey.Document filed by Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds. Related document: 1 Complaint.(sac, ) (Entered: 12/31/2003)
12/31/2003	11	AFFIDAVIT OF SERVICE of Summons and Amended Complaint upon the City of New York. Service was accepted by Linda Lawyer. Document filed by Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds. (db, ) (Entered: 01/05/2004)
01/09/2004	12	STIPULATION AND ORDER, it is hereby stipulated between the attorneys for plaintiffs and defendant The Port Authority of New York and New Jersey that The Port Authority of New York and New Jersey's time to answer or otherwise respond to the amended complaint shall be extended to 3/2/04. (Signed by Judge John G. Koeltl on 1/8/04) (dfe, ) (Entered: 01/21/2004)
03/03/2004	13	STIPULATION AND ORDER; that the time for deft City of New York to answer or move with respect to amended complaint in this action is extended to and including 3/5/2004. (Signed by Judge John G. Koeltl on 1/27/2004) (jp, ) (Entered: 03/05/2004)
03/03/2004		Set Answer Due Date re: 10 Amended Complaint, as to Port Authority of New York & New Jersey answer due on 3/15/2004. (jp, ) (Entered: 03/05/2004)
03/11/2004	14	STIPULATION AND ORDER; that the time for defts to answer or move with respect to the complaint in this action is extended to and including 4/5/2004. (Signed by Judge John G. Koeltl on 3/3/2004) (jp, ) (Entered: 03/15/2004)
03/11/2004		Set Answer Due Date purs. to 14 Stipulation and Order as to Port Authority of New York & New Jersey answer due on 4/5/2004. (jp, ) (Entered: 03/15/2004)
04/07/2004	15	STIPULATION, that the time for defendants Port Authority of New York & New Jersey and The City of New York to answer or otherwise respond to the Amended Complaint be extended to 4/30/04. It is further stipulated that plaintiffs shall have until 6/11/04 to serve opposing papers to any motions to dismiss, and defendants shall have until 6/22/04 to serve any reply papers. (Signed by Judge John G. Koeltl on 4/6/04) (tp, ) Modified on 4/8/2004 (tp, ). (Entered: 04/08/2004)
04/07/2004		Set Answer Due Date purs. to 15 Stipulation and Order, as to Port Authority of New York & New Jersey answer due on 4/30/2004. (tp, ) (Entered: 04/08/2004)
04/07/2004		Set/Reset Deadlines: Replies due by 6/11/2004. Responses due by 6/22/2004. (tp, ) (Entered: 04/08/2004)
04/19/2004		ORDER; Proposed Pretrial Scheduling Order due by 5/7/2004. (Signed by Judge John G. Koeltl on 4/15/2004) Original document filed under case number 02-cv-7170, document number 28.(jp, ) (Entered: 04/20/2004)
04/30/2004	16	NOTICE OF MOTION (FILED ON SERVICE DATE) to Dismiss the amended complt in its entirety as against the City for failure to state a cause of action on the grounds of statutory and common law immunity..dismissing pltffs second cause of action against the City for negligence...(nire dep. box). Document filed by City Of New York. (pa, ) (Entered: 05/03/2004)
04/30/2004	17	DECLARATION of Kenneth A. Becker in Support re: 16 MOTION (FILED ON SERVICE DATE) to Dismiss.(nire dep. box). Document filed by City Of New York. (pa, ) (Entered: 05/03/2004)
04/30/2004	18	MEMORANDUM OF LAW in Support re: 16 MOTION (FILED ON SERVICE DATE) to Dismiss.(nire dep. box). Document filed by City Of New York. (pa, ) (Entered: 05/03/2004)
04/30/2004	22	MOTION (FILED ON SERVICE DATE) to Dismiss pltfs' complaint purs to FRCP 12(b)(6). Document filed by Port Authority of New York & New Jersey. (cd, ) (Entered: 05/18/2004)
05/04/2004	19	AMENDED AFFIDAVIT OF SERVICE of Motion to Dismiss as to City of NY. Document filed by Aegis Insurance Services, Inc.. (cd, ) (Entered: 05/05/2004)
05/04/2004	20	DECLARATION of Beth Jacob in Support of Motions to dismiss pltfs' complaints. Document filed by Port Authority of New York & New Jersey. (cd, ) (Entered: 05/06/2004)
05/04/2004	21	MEMORANDUM OF LAW in Support of motions to dismiss pltfs' complaints. Document filed by Port Authority of New York & New Jersey. (cd, ) (Entered: 05/06/2004)
06/18/2004	23	MEMORANDUM OF LAW in Opposition re: 16 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds. (sac, ) (Entered: 06/22/2004)
06/18/2004	24	DECLARATION of Stanley W. Kallmann in Opposition re: 16 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited,

		Underwriters at Lloyds. (sac, ) (Entered: 06/22/2004)
06/18/2004	25	MEMORANDUM OF LAW in Opposition re: 22 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds. (sac, ) (Entered: 06/22/2004)
06/18/2004	26	DECLARATION of Stanley W. Kallmann in Opposition re: 22 MOTION (FILED ON SERVICE DATE) to Dismiss. Document filed by Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds. (sac, ) (Entered: 06/22/2004)
07/02/2004	27	REPLY MEMORANDUM OF LAW in Support re: 16 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by City of New York. (tr, ) (Entered: 07/07/2004)
07/02/2004	28	DECLARATION of Eugene R. Scheiman in Support re: 16 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by City of New York. (tr, ) (Entered: 07/07/2004)
07/06/2004		REPLY MEMORANDUM OF LAW in Support re: 22 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Port Authority of New York & New Jersey. Original document filed in case #02cv7170, document #42. (dle, ) (Entered: 07/08/2004)
07/06/2004		SECOND DECLARATION of Beth D. Jacob in Support re: 22 MOTION (FILED ON SERVICE DATE) to Dismiss.. Document filed by Port Authority of New York & New Jersey. Original document filed in case #02cv7170, document#43. (dle, ) (Entered: 07/08/2004)
08/10/2004	29	NOTICE of Change of Address by Mark A. Bloom, Eugene R. Scheiman on behalf of City of New York. New Address: Buchanan Ingersoll, Professional Corporation, One Chase Manhattan Plaza, 35th Floor, New York, New York, 10005, (212) 440-4400. (jco, ) (Entered: 08/12/2004)
09/08/2004	30	DECLARATION of Lewis J. Liman in Opposition to Aegis's Proposed Order to Show Cause. (db, ) (Entered: 09/13/2004)
09/10/2004	31	ORDER TO SHOW CAUSE by Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds; for an order for compliance forthwith the subpoena duly served and must permit an inspection of those documents in its possession and under its control, on or before 9/9/04; that for the reasons stated on the record, this Order to Show Cause is denied. (Signed by Judge John G. Koeltl on 9/8/04) (pl, ) Modified on 9/13/2004 (pl, ). (Entered: 09/13/2004)
09/10/2004	32	DECLARATION of Lewis J. Liman in Opposition to Aegis's Proposed Order to Show Cause. (jco, ) (Entered: 09/14/2004)
09/22/2004		MOTION (FILED ON SERVICE DATE) for an order, admitting Robert H. Riley to Appear Pro Hac Vice. Document filed by The Port Authority of New York And New Jersey. Declaration of John L. Castelly in support attached. Original Document filed in 02 Civ. 7170, Doc#45. (sac, ) (Entered: 09/23/2004)
11/24/2004		SUMMARY ORDER that Hon. Alvin K. Hellerstein has accepted cases from Hon. John G. Koeltl, as a result of a status conference regarding the advisability of transferring the cases, 02-7328, 02-7188, 02-7170... and as further set forth in said Order. (Original entry is docketed in 02 civ. 7328 as doc. #628). (Signed by Judge Alvin K. Hellerstein on 11/23/04) (kw, ) (Entered: 12/27/2004)
11/30/2004	34	NOTICE OF CASE REASSIGNMENT to Judge Alvin K. Hellerstein. Judge John G. Koeltl no longer assigned to the case. (laq, ) (Entered: 12/20/2004)
12/02/2004		SUMMARY ORDER that the Motions to Dismiss actions 02cv7328 & 02cv7188 are denied without prejudice to resubmission upon completion of limited discovery. Ruling on 02cv7170 is reserved. As further stated on the record, the defendants are ordered to serve answers within 10 days of 11/30/04, to produce a discovery schedule by 1/5/05, and for defts. in cases 02cv7328 & 02cv7188 to re-file their motions by 2/24/05. Original document filed in 21-mc-97, document # 630. (Signed by Judge Alvin K. Hellerstein on 12/1/04) (db, ) (Entered: 12/22/2004)
12/14/2004	33	ANSWER to Amended Complaint with JURY DEMAND. Document filed by City of New York.(jmi, ) (Entered: 12/16/2004)
12/21/2004	35	ANSWER to Amended Complaint. Document filed by Port Authority of New York & New Jersey. Related document: 10 Amended Complaint.(kkc, ) (Entered: 12/23/2004)
01/21/2005	36	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Michael S. Leavy dated 1/19/05 re: requesting an adjournment of the briefing schedule on Citigroup motion to dismiss as follows: plaintiffs' response due 1/26/05 and Citigroup reply due 2/18/05. Plaintiffs' response due by 1/26/2005. Reply due by 2/18/2005. (Signed by Judge Alvin K. Hellerstein on 1/20/05) (kw, ) (Entered: 01/31/2005)
01/21/2005		MOTION for Robert H. Riley of the law firm of Schiff Hardin LLP, in Chicago, Ill to Appear Pro Hac Vice. Document filed by The Port Authority of New York And New Jersey. Attached is declaration of Beth D. Jacob in support. (djc, ) (orig. docmt dktd inc case no. 02 cv 7170, docmt #53) (Entered: 02/01/2005)
02/07/2005		MEMO ENDORSEMENT: Granting <u>53</u> Motion permitting Robert H. Riley to appear Pro Hac Vice for defendant The Port Authority of New York and New Jersey. (Signed by Judge Alvin K. Hellerstein on 2/4/05) (db, ) (Entered:

		02/14/2005
02/07/2005		Transmission to Attorney Admissions Clerk. Transmitted re: Memo Endorsement, to the Attorney Admissions Clerk for updating of Attorney Information. (db, ) (Entered: 02/14/2005)
02/07/2005	37	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Eugene R. Scheiman dated 1/7/05 re: Discovery schedules in regards to The Port Authority and The City of New York are GRANTED as further set forth in said Order. (Signed by Judge Alvin K. Hellerstein on 2/2/05) (db, ) (Entered: 02/14/2005)
04/04/2005	38	NOTICE of Appearance by Franklin Sachs on behalf of Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds, Consolidated Edison Company of New York, Inc. (jp, ) (Entered: 04/11/2005)
04/08/2005	39	NOTICE of Appearance by Franklin Sachs on behalf of Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds, Consolidated Edison Company of New York, Inc. (ps, ) (Entered: 04/15/2005)
04/21/2005	40	MOTION to Dismiss Plaintiffs' Complaint for failure to state a cause of action, purs. to FRCP 12(b)(6). Document filed by WTC7 Ground Defendants. (ae, ) (Entered: 04/26/2005)
04/21/2005	41	MEMORANDUM OF LAW in Support re: 40 MOTION to Dismiss Plaintiffs' Complaint for failure to state a cause of action, purs. to FRCP 12(b)(6). Document filed by WTC7 Ground Defendants. (ae, ) (Entered: 04/26/2005)
04/21/2005	42	THIRD DECLARATION of Beth D. Jacob in Support re: 40 MOTION to Dismiss Plaintiffs' Complaint for failure to state a cause of action, purs. to FRCP 12(b)(6). Document filed by WTC7 Ground Defendants. (ae, ) (Entered: 04/26/2005)
04/25/2005		ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Mark L. Antin dated 4/12/05 re: Granting ptffs request for the following amendment to the schedule: 4/15/05 - City to provide all contact information in its possession regarding witnesses it cannot produce; 4/25-5/27: Depositions & follow up document discovery; 6/13: Service of Motions; 6/27: Opposition to Motions; 7/8: Reply papers. So ordered in principle, & subject to further order as contemplated by telephone conference of 4/18/05. Original entered as Document #8 in 21 MC 101. (Signed by Judge Alvin K. Hellerstein on 4/18/05) (rjm, ) (Entered: 05/04/2005)
05/04/2005	43	ORDER REGULATING DISCOVERY INSTRUCTIONS AND BRIEFING SCHEDULED (Signed by Judge Alvin K. Hellerstein on 5/4/05) (pl, ) (Entered: 05/06/2005)
05/05/2005		Set/Reset Scheduling Order Deadlines: Oral Argument set for 7/22/2005 01:00 PM before Judge Alvin K. Hellerstein. (pl, ) (Entered: 05/06/2005)
06/28/2005	44	ENDORSED LETTER addressed to Judge Hellerstein from Franklin M. Sachs dated 06/23/05 re: counsel requests that plaintiff's time to file its opposition brief be extended until July 8, 2005 and that the defendant City's time to file its reply brief be extended until July 19, 2005. Motion granted. Plaintiff's time to file opposition brief extended to July 8, 2005, City's time to reply extended to July 19, 2005. Oral argument will be held at the July 28, 2005 status conference at 4:00 p.m.. (Signed by Judge Alvin K. Hellerstein on 6/24/05) (djc, ) (Entered: 06/29/2005)
06/28/2005		Set Deadlines/Hearings: Oral Argument set for 7/28/2005 04:00 PM before Judge Alvin K. Hellerstein. (djc, ) (Entered: 06/29/2005)
07/01/2005	45	ENDORSED LETTER addressed to Judge Hellerstein from Mark A. Bloom dated 6/27/05 re: request that Your Honor extend the City's time to file a reply until 7/22/2005. Motion granted. No further extensions (Signed by Judge Alvin K. Hellerstein on 6/28/05) (yv, ) (Entered: 07/06/2005)
07/22/2005	46	REPLY MEMORANDUM OF LAW in Further Support of its Motion for Summary Judgment. Document filed by City of New York. (sac, ) (Entered: 07/25/2005)
07/22/2005	47	REPLY AFFIDAVIT of Eugene R. Scheiman in Support of summary judgment. Document filed by City of New York. (sac, ) (Entered: 07/25/2005)
09/14/2005		ORDER Regulating Supplemental Briefing Schedule: The Port Authority of New York and New Jersey and other parties have requested leave to make supplemental submissions concerning Citigroup's motion to dismiss the complaint against it based on its status a third-party beneficiary of the lease between Con Edison and the Port Authority. Parties shall serve and file any submissions by 9/20/05. Any responses to these submissions shall be served and filed by 9/23/05. The record shall be closed on 9/23/05 at 5:00 p.m. (Original entry is docketed in 04 civ. as doc. #143.) (Signed by Judge Alvin K. Hellerstein on 9/12/05) (kw, ) (Entered: 09/16/2005)
01/12/2006	48	OPINION AND ORDER 92626; For the reasons stated, the motion of the City of New York to dismiss theComplaint in 02 Civ. 7188 is granted, and the motion of the Port Authority to dismiss thesame is denied in part and granted in part. The Port Authority remains as a defendant in02 Civ. 7188 as to Count One alleging negligence... (Signed by Judge Alvin K. Hellerstein on 1/12/2006) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(kkc, ) Modified on 1/20/2006 (dn, ). (Entered: 01/12/2006)
01/27/2006	49	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION for Reargument with accompanying Memorandum of Law. Document filed by Aegis Insurance Services, Inc. (Attachments: # 1 # 2)(Antin, Mark) Modified on 1/30/2006 (kg). (Entered: 01/27/2006)
01/27/2006	50	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION for Reargument with accompanying Memorandum of Law. Document filed by Aegis Insurance Services, Inc.. (Attachments: # 1 # 2)Filed In Associated

		Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Antin, Mark) Modified on 1/30/2006 (kg). (Entered: 01/27/2006)
01/30/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Mark Antin to MANUALLY RE-FILE Document Motions, Document No. 49 & 50. This case is not ECF. (kg, ) (Entered: 01/30/2006)
01/31/2006	51	MEMO ENDORSEMENT on re: 67 MOTION for Reargument with <i>accompanying Memorandum of Law</i> . filed by Aegis Insurance Services, Inc. ENDORSEMENT: Pltffs do not cite or discuss anything that I overlooked. The motion for reconsideration and related relief is denied. (Signed by Judge Alvin K. Hellerstein on 1/30/06) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(sn) (Entered: 02/01/2006)
02/15/2006	52	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION for Entry of Judgment under Rule 54(b) with supporting Memorandum of Law. Document filed by Aegis Insurance Services, Inc. (Attachments: # 1)Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Antin, Mark) Modified on 2/16/2006 (kg). (Entered: 02/15/2006)
02/16/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Mark L. Antin to MANUALLY RE-FILE Document Motion for entry of judgment, Document No. 52. This case is not ECF. (kg) (Entered: 02/16/2006)
02/21/2006	53	ENDORSED LETTER addressed to Clerk, United States District Court from Michael S. Leavy dated 2/10/2006; enclosed for filing are a motion for certification and accompanying memorandum of law. ENDORSEMENT: as stated at the conference held 2/16/2006, the conditions for a Rule 54(b), or for a Section 1292(b), certification have not been satisfied and in my discretion, I denied same without prejudice to renewing said request at a later stage in the proceedings. (Signed by Judge Alvin K. Hellerstein on 2/21/2006) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(kkc, ) (Entered: 02/23/2006)
03/03/2006	54	CASE MANAGEMENT ORDER regarding the establishment of a structure for the efficient prosecution of the underlying actions in the captioned litigation and to handle the actions involving World Trade Center 7 Ground Defendants with a separate discovery procedure within 21MC101(AKH) and to schedule the filing of pleadings, discovery and other matters in the actions involving World Trade Center 7 Ground Defendants... and as further set forth in said order regarding WTC Ground Litigation, Aviation Defendants Discovery, WTC 7 Ground Defendants' Liaison Counsel, Schedule & Other Matters. This Document relates to 21MC97 and 02cv7328. (Signed by Judge Alvin K. Hellerstein on 3/2/06) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(rjm, ) (Entered: 03/06/2006)
03/15/2006	55	AMENDED ANSWER to Amended Complaint. Document filed by Port Authority of New York & New Jersey.(cd, ) (Entered: 03/16/2006)
03/23/2006	56	ORDER REGULATING DISCOVERY (This document relates to: 02 cv 7188, 02 cv 7328, 04 cv 7272); in accordance with my directives at the 2/16/06 status conference, and upon review of the joint letter dated 3/2/06, the parties are directed to conduct discovery as to 3 issues as set forth in this Order. The parties are directed to appear before me for a conference on 4/4/06 at 2:00 PM to prepare a plan of discovery in light of the rulings herein. To the extent feasible, the parties should fix a motion schedule for motions to be filed subsequent to completion of discovery. In advance of the conference, by 5:00 PM on 4/3/06, the parties should submit for my review a proposed case management order. (Signed by Judge Alvin K. Hellerstein on 3/23/06) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(sn) (Entered: 03/24/2006)
03/30/2006	57	ORDER REGULATING DISCOVERY... The parties are direced to conduct discovery as to the three issues referred to in this Order, and are directed to appear for a Conference set for 4/4/2006 02:00 PM before Judge Alvin K. Hellerstein... and as further set forth in said Order. (Signed by Judge Alvin K. Hellerstein on 3/23/06) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKHThis Document also relates to 02-7328(rjm, ) (Entered: 03/30/2006)
06/30/2006	58	MEMORANDUM OF LAW in Support re: 112 MOTION to Dismiss AMEC's <i>Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.</i> EXHIBIT G (PART 1). Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	59	MEMORANDUM OF LAW in Support re: 112 MOTION to Dismiss AMEC's <i>Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.</i> EXHIBIT G (PART 2). Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	60	MEMORANDUM OF LAW in Support re: 112 MOTION to Dismiss AMEC's <i>Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.</i> EXHIBIT G (PART 3). Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	61	MEMORANDUM OF LAW in Support re: 112 MOTION to Dismiss AMEC's <i>Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.</i> EXHIBIT G (PART 4). Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	62	MEMORANDUM OF LAW in Support re: 112 MOTION to Dismiss AMEC's <i>Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.</i> EXHIBIT G (PART 5).

		Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	63	MEMORANDUM OF LAW in Support re: <u>112 MOTION to Dismiss AMEC's Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.. EXHIBIT H (PART 1)</u> . Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	64	MEMORANDUM OF LAW in Support re: <u>112 MOTION to Dismiss AMEC's Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.. EXHIBIT H (PART 2)</u> . Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	65	MEMORANDUM OF LAW in Support re: <u>112 MOTION to Dismiss AMEC's Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.. EXHIBIT I (PART 1)</u> . Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	66	MEMORANDUM OF LAW in Support re: <u>112 MOTION to Dismiss AMEC's Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.. EXHIBIT I (PART 2)</u> . Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	67	MEMORANDUM OF LAW in Support re: <u>112 MOTION to Dismiss AMEC's Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.. EXHIBIT I (PART 3)</u> . Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
06/30/2006	68	MEMORANDUM OF LAW in Support re: <u>112 MOTION to Dismiss AMEC's Notice of Motion to Dismiss the Third-Party Claims of 7 World Trade Center Company and Silverstein Properties, Inc.. EXHIBIT J</u> . Document filed by AMEC, PLC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) (Entered: 06/30/2006)
07/18/2006	69	PROPOSED (signed) AMENDMENT TO CASE MANAGEMENT ORDER... that paragraph 16 of the March 2 CMO be and hereby is amended to read in its entirety as follows: The parties shall proceed with discovery in accordance with the following schedule, it being understood that the WTC 7 Ground Dfts' discovery requests shall be joint requests coordinated by the WTC 7 Ground Dfts' Liaison Counsel except as provided in paragraph 17: a. Service of interrogatories purs. to Local Rule 33.3(a) by 5/2/06; Service of document requests by 5/2/06; Answers to interrogatories by 8/8/06; Objections and responses to document requests by 8/8/06... Production of documents to begin by 8/22/06; Privilege logs by 9/5/06; Depositions to await document production and document review and to be scheduled thereafter, except as provided in paragraph 16(d) above. This Document relates to (and docketed with its own pdf in) 21MC97, 21MC101, 02-7188, 02-7328, 04-7272. (Signed by Judge Alvin K. Hellerstein on 7/18/06) (rjm, ) Modified on 7/20/2006 (rjm, ). (Entered: 07/19/2006)
07/20/2006	70	PROPOSED (signed) AMENDMENT TO CASE MANAGEMENT ORDER... that paragraph 16 of the March 2 CMO be and hereby is amended to read in its entirety as follows: The parties shall proceed with discovery in accordance with the following schedule, it being understood that the WTC 7 Ground Dfts' discovery requests shall be joint requests coordinated by the WTC 7 Ground Dfts' Liaison Counsel except as provided in paragraph 17: a. Service of interrogatories purs. to Local Rule 33.3(a) by 5/2/06; Service of document requests by 5/2/06; Answers to interrogatories by 8/8/06; Objections and responses to document requests by 8/8/06... Production of documents to begin by 8/22/06; Privilege logs by 9/5/06; Depositions to await document production and document review and to be scheduled thereafter, except as provided in paragraph 16(d) above. "Non-material changes do not require so ordering by court." This Document relates to (and docketed with its own pdf in) 21MC97, 21MC101, 02-7188, 02-7328, 04-7272. (Signed by Judge Alvin K. Hellerstein on 7/19/06) (rjm, ) (Entered: 07/20/2006)
07/24/2006	71	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION to Vacate <i>Order of January 12, 2006, Based Upon Newly Discovered Evidence</i> . Document filed by Aegis Insurance Services, Inc.. (Attachments: # <u>1</u> Memorandum of Law# <u>2</u> Affidavit of Mr. Richard King# <u>3</u> Affidavit of Franklin M. Sachs, Esq.# <u>4</u> # <u>5</u> )Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Antin, Mark) Modified on 7/25/2006 (kg, ). (Entered: 07/24/2006)
07/25/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Mark Antin to MANUALLY RE-FILE Document Motion to Vacate, Document No. 71. This case is not ECF. (kg) (Entered: 07/25/2006)
07/27/2006	72	ORDER, Set Deadlines/Hearing as to Responses to the Motion to Vacate (document #136 in Case No. 21MC101), due by 8/3/2006; Case Management Conference set for 8/9/2006 02:00 PM before Judge Alvin K. Hellerstein. (Signed by Judge Alvin K. Hellerstein on 7/27/06) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(rjm, ). (Entered: 07/28/2006)
08/03/2006	73	FILING ERROR - ELECTRONIC FILING FOR NON-ECF CASE - MEMORANDUM OF LAW re: <u>138 Order, Memorandum of Law on behalf of Defendants Irwin G. Cantor, P.C. and Cantor Seinuk Group, P.C. on the Limited Issue of Whether Supplemental Submissions should be ordered on Plaintiff's Motion to Vacate the Court's January 12, 2006 Order</u> . Document filed by Irwin G. Cantor, PC, Cantor Seinuk Group, P.C.. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) Modified on 9/6/2006 (gf, ). (Entered:

		08/03/2006)
08/07/2006	<u>74</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF CASE - REPLY MEMORANDUM OF LAW in Support re: <u>136</u> MOTION to Vacate <i>Order of January 12, 2006, Based Upon Newly Discovered Evidence..</i> Document filed by Aegis Insurance Services, Inc.. (Attachments: # <u>1</u> Affidavit of Service# <u>2</u> Cover Letter) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Sachs, Franklin) Modified on 9/6/2006 (gf, ). (Entered: 08/07/2006)
08/08/2006	<u>75</u>	ORDER... that the opinion & order of 1/12/06, an interlocutory order subject to the ongoing dynamics of the litigation, will be reviewed in accordance with further proceedings outlined below. Ordered that the parties, at the status conference scheduled for 8/9/06, 2:00pm., address the scope and timing of discovery they consider relevant, and the propositions of law that they contend will govern the court's review of its rulings on privity in its Opinion and Order of 1/12/06. (Signed by Judge Alvin K. Hellerstein on 8/7/06) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(rjm, ) (Entered: 08/08/2006)
09/05/2006	<u>76</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF CASE - JOINT MOTION to Dismiss <i>The Third-Party Complaint Pursuant to FRCP 12(b)(6)</i> . Document filed by Swanke Hayden Connell Arche, Ambassador Construction Co., Inc., Cosentini Associates Inc., Cantor Seinuk Group, P.C.. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) Modified on 9/6/2006 (gf, ). (Entered: 09/05/2006)
09/05/2006	<u>77</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF CASE - JOINT MEMORANDUM OF LAW in Support re: <u>152</u> JOINT MOTION to Dismiss <i>The Third-Party Complaint Pursuant to FRCP 12(b)(6)</i> . Document filed by Swanke Hayden Connell Arche, Ambassador Construction Co., Inc., Cosentini Associates Inc., Cantor Seinuk Group, P.C.. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) Modified on 9/6/2006 (gf, ). (Entered: 09/05/2006)
09/05/2006	<u>78</u>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF CASE - DECLARATION of Eric S. Hechler in Support re: <u>152</u> JOINT MOTION to Dismiss <i>The Third-Party Complaint Pursuant to FRCP 12(b)(6)</i> . Document filed by Swanke Hayden Connell Arche, Ambassador Construction Co., Inc., Cosentini Associates Inc., Cantor Seinuk Group, P.C.. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> ) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-07188-AKH,1:04-cv-07272-AKH(Klein, Donald) Modified on 9/6/2006 (gf, ). (Entered: 09/05/2006)
09/06/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Donald Klein to MANUALLY RE-FILE Document MEMORANDUM OF LAW #73, JOINT MOTION to Dismiss #76, JOINT MEMORANDUM OF LAW in Support #77, DECLARATION of Eric S. Hechler in Support #78. This case is not ECF. (gf, ) (Entered: 09/06/2006)
09/06/2006		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Franklin Sachs to MANUALLY RE-FILE Document REPLY MEMORANDUM OF LAW, Document No. 74. This case is not ECF. (gf, ) (Entered: 09/06/2006)
10/17/2006	<u>79</u>	CASE MANAGEMENT ORDER... All attorneys who have been admitted to this Court, either for all purposes or pro hac vice for purposes of this case who are not yet registered to file documents electronically, shall complete and file a CM/ECF attorney registration form by November 1, 2006. Forms can be found on the Court's website at www.nysd.uscourts.gov. As of October 17, 2006 all documents filed in the Miscellaneous case and the underlying civil cases shall be filed electronically on the Court's ECF system via the Internet at ecf.nysd.uscourts.gov. All correspondences are to be submitted in either Word or WordPerfect format to WTC_letters@nysd.uscourts.gov. The subject heading of the email must include the case number of the action or actions that the email pertains to. No correspondences are to be sent to Chambers through regular mail. No correspondences should be in the form of a motion. Amended complaints and supplemental pleading shall provide a list of the additional parties and indicate the action to which they are being added... (Signed by Judge Alvin K. Hellerstein on 10/17/2006) Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-02987-AKH,1:02-cv-07188-AKH,1:02-cv-07198-AKH,1:02-cv-10052-AKH, 1:03-cv-00131-AKH,1:03-cv-06925-AKH,1:04-cv-04577-AKH,1:04-cv-05020-AKH,1:04-cv-05021-AKH, 1:04-cv-05022-AKH,1:04-cv-05023-AKH,1:04-cv-05024-AKH,1:04-cv-05025-AKH,1:04-cv-06848-AKH, 1:04-cv-07136-AKH,1:04-cv-07199-AKH,1:04-cv-07225-AKH,1:04-cv-07231-AKH,1:04-cv-07234-AKH, 1:04-cv-07238-AKH,1:04-cv-07240-AKH,1:04-cv-07241-AKH,1:04-cv-07244-AKH,1:04-cv-07246-AKH, 1:04-cv-07248-AKH,1:04-cv-07272-AKH,1:04-cv-07294-AKH,1:04-cv-07299-AKH,1:04-cv-07318-AKH(mj, ) Modified on 12/5/2006 (mj, ). (Entered: 12/05/2006)
10/17/2006		Case Designated ECF. (mj, ) (Entered: 12/06/2006)
10/18/2006	<u>80</u>	NOTICE OF CLAIM RE: September 11 Litigation. Document filed by Port Authority of New York & New Jersey. (Klein, Donald) (Entered: 10/18/2006)
12/21/2006	<u>81</u>	MOTION to Dismiss <i>Notice of Motion to Dismiss the Third-party Complaint Pursuant to FRCP 12 (b) (6)</i> . Document filed by Syska & Hennessy Group, Inc., Irwin G. Cantor, PC. Filed In Associated Cases: 1:21-mc-00101-AKH,1:02-cv-02987-AKH,1:02-cv-07188-AKH,1:02-cv-07198-AKH,1:02-cv-10052-AKH, 1:03-cv-00131-AKH,1:03-cv-06925-AKH,1:04-cv-04577-AKH,1:04-cv-05020-AKH,1:04-cv-05021-AKH, 1:04-cv-05022-AKH,1:04-cv-05023-AKH,1:04-cv-05024-AKH,1:04-cv-05025-AKH,1:04-cv-06848-AKH, 1:04-cv-07136-AKH,1:04-cv-07199-AKH,1:04-cv-07225-AKH,1:04-cv-07231-AKH,1:04-cv-07234-AKH, 1:04-cv-07238-AKH,1:04-cv-07240-AKH,1:04-cv-07241-AKH,1:04-cv-07244-AKH,1:04-cv-07246-AKH, 1:04-cv-07248-AKH,1:04-cv-07272-AKH,1:04-cv-07294-AKH,1:04-cv-07299-AKH,1:04-cv-07318-AKH(Jacob, Beth) (Entered: 12/21/2006)
04/12/2007	<u>82</u>	ORDER REGARDING DOCUMENT REPOSITORY... that the orders of 3/2/06 and 6/30/06, are hereby vacated to the extent that they require the establishment and maintenance of a joint document repository, as are any other orders in the WTC7 Ground Litigation to the same effect, except that the payment requirements of paragraphs 2 and 3 of the 6/30/06

		order shall remain in effect... and as further set forth regarding the procedures to be followed that shall govern the handling of Document Repository. This Document relates to 21MC97 (Doc. No. 973), 02-7328. (Signed by Judge Alvin K. Hellerstein on 4/12/07) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 04/13/2007)
04/27/2007	<u>83</u>	DECLARATION of Richard A. Williamson in Opposition re: (158 in 1:21-mc-00101-AKH) MOTION for Summary Judgment., (208 in 1:21-mc-00101-AKH) MOTION for Summary Judgment on <i>WTCP on Flight 175 Only..</i> Document filed by 7 World Trade Center Company, L.P., World Trade Center Properties LLC. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Scholz, Andrew) (Entered: 04/27/2007)
04/27/2007	<u>84</u>	DECLARATION of Keith Harris in Opposition re: (158 in 1:21-mc-00101-AKH) MOTION for Summary Judgment., (208 in 1:21-mc-00101-AKH) MOTION for Summary Judgment on <i>WTCP on Flight 175 Only..</i> Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Scholz, Andrew) (Entered: 04/27/2007)
04/27/2007	<u>85</u>	COUNTER STATEMENT TO Document filed by World Trade Center Properties LLC. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Scholz, Andrew) (Entered: 04/27/2007)
05/01/2007	<u>86</u>	NON-WAIVER AGREEMENT... It is hereby agreed, by and between the undersigned counsel that any disclosure of a document or information by the Government shall not constitute a waiver by the Government of any privilege or other protection that may be applicable or information not disclosed. This Non-Waiver Agreement does not constitute and agreement by the Government to produce any particular document or information in the litigation, and is without prejudice to any objections the Government may have to any party's discovery requests. (Signed by Judge Alvin K. Hellerstein on 5/1/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al. This Document also relates to 21MC97.(rjm) (Entered: 05/02/2007)
05/11/2007	<u>87</u>	STIPULATION OF DISMISSAL without prejudice (This document relates to All Cases); the Cross-Claims by Cross-claim pltffs' World Trade Center Properties LLC, 1 World Trace Center LLC, 2 World Trade Center LLC, 4 World Trace Center LLC, 5 World Trade Center LLC and 7 World Trade Company, L.P., contained in the Amended Cross-Claims by WTCP Entities Against Certain Defts in Pltffs' Amended Flight 11 Master Liability complaint and Cross-claims by WTCP Entities Against Certain Defts in Pltffs' Amended 175 Master Liability Complaint, against deft AirTran, are dismissed without prejudice and without costs to either party as against the other. (Signed by Judge Alvin K. Hellerstein on 5/11/07) (Entered: 05/11/2007) Filed In Associated Cases: 1:21-mc-00101-AKH et al. (Original document filed under 1:21-mc-97, as Doc. #1052(sn) (Entered: 05/11/2007)
05/25/2007	<u>88</u>	CROSS MOTION to Sever and Stay Claims for Punitive Damages. Document filed by 7 World Trade Center Company, L.P.. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 05/25/2007)
05/25/2007	<u>89</u>	DECLARATION of Wolfgang A. Dase, Esq. in Support re: (22 in 1:03-cv-06925-AKH, 274 in 1:04-cv-07272-AKH, 34 in 1:04-cv-05023-AKH, 39 in 1:04-cv-07231-AKH, 27 in 1:04-cv-07294-AKH, 44 in 1:04-cv-07234-AKH, 26 in 1:04-cv-04577-AKH, 272 in 1:21-mc-00101-AKH, 55 in 1:03-cv-00131-AKH, 88 in 1:02-cv-07188-AKH, 35 in 1:04-cv-05022-AKH, 19 in 1:04-cv-07136-AKH, 22 in 1:04-cv-07241-AKH, 35 in 1:04-cv-05020-AKH, 33 in 1:04-cv-07248-AKH, 18 in 1:02-cv-10052-AKH, 54 in 1:02-cv-02987-AKH, 28 in 1:02-cv-07198-AKH, 32 in 1:04-cv-07299-AKH, 23 in 1:04-cv-07246-AKH, 34 in 1:04-cv-05024-AKH, 36 in 1:04-cv-07225-AKH, 14 in 1:04-cv-07318-AKH, 34 in 1:04-cv-05021-AKH, 39 in 1:04-cv-07199-AKH, 23 in 1:04-cv-07238-AKH, 34 in 1:04-cv-05025-AKH, 22 in 1:04-cv-06848-AKH, 22 in 1:04-cv-07240-AKH, 27 in 1:04-cv-07244-AKH) MOTION to Sever.. Document filed by 7 World Trade Center Company, L.P.. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 05/25/2007)
05/25/2007	<u>90</u>	MEMORANDUM OF LAW in Support re: (22 in 1:03-cv-06925-AKH, 274 in 1:04-cv-07272-AKH, 34 in 1:04-cv-05023-AKH, 39 in 1:04-cv-07231-AKH, 27 in 1:04-cv-07294-AKH, 44 in 1:04-cv-07234-AKH, 26 in 1:04-cv-04577-AKH, 272 in 1:21-mc-00101-AKH, 55 in 1:03-cv-00131-AKH, 88 in 1:02-cv-07188-AKH, 35 in 1:04-cv-05022-AKH, 19 in 1:04-cv-07136-AKH, 22 in 1:04-cv-07241-AKH, 35 in 1:04-cv-05020-AKH, 33 in 1:04-cv-07248-AKH, 18 in 1:02-cv-10052-AKH, 54 in 1:02-cv-02987-AKH, 28 in 1:02-cv-07198-AKH, 32 in 1:04-cv-07299-AKH, 23 in 1:04-cv-07246-AKH, 34 in 1:04-cv-05024-AKH, 36 in 1:04-cv-07225-AKH, 14 in 1:04-cv-07318-AKH, 34 in 1:04-cv-05021-AKH, 39 in 1:04-cv-07199-AKH, 23 in 1:04-cv-07238-AKH, 34 in 1:04-cv-05025-AKH, 22 in 1:04-cv-06848-AKH, 22 in 1:04-cv-07240-AKH, 27 in 1:04-cv-07244-AKH) MOTION to Sever.. Document filed by 7 World Trade Center Company, L.P.. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 05/25/2007)
05/25/2007	<u>91</u>	DECLARATION of Richard A. Williamson in Opposition re: (252 in 1:21-mc-00101-AKH) MOTION for Determination of Applicable Law, Dismissal of Punitive Damage Claims and for Certain Government Discovery.. Document filed by 7 World Trade Center Company, L.P., Plaintiffs. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit)Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 05/25/2007)
05/25/2007	<u>92</u>	MEMORANDUM OF LAW in Opposition re: (252 in 1:21-mc-00101-AKH) MOTION for Determination of Applicable Law, Dismissal of Punitive Damage Claims and for Certain Government Discovery.. Document filed by 7 World Trade Center Company, L.P., Plaintiffs. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 05/25/2007)
05/25/2007	<u>93</u>	DECLARATION of Robert A. Clifford, Gregory P. Joseph, Marc S. Moller, Ronald L. Motley, Richard A. Williamson in Opposition re: (224 in 1:21-mc-00101-AKH) MOTION for Judgment of <i>Applicable Law Regarding the Standard of Care.</i> , (252 in 1:21-mc-00101-AKH) MOTION for Determination of Applicable Law, Dismissal of Punitive Damage Claims and for Certain Government Discovery., (226 in 1:21-mc-00101-AKH) MOTION for Determination of

		Applicable Law Regarding the Standard of Care., (239 in 1:21-mc-00101-AKH) MOTION Determination of Applicable Law.. Document filed by 7 World Trade Center Company, L.P., Plaintiffs. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 05/25/2007)
05/25/2007	<u>94</u>	MEMORANDUM OF LAW in Opposition re: (224 in 1:21-mc-00101-AKH) MOTION for Judgment of <i>Applicable Law Regarding the Standard of Care.</i> , (252 in 1:21-mc-00101-AKH) MOTION for Determination of Applicable Law, Dismissal of Punitive Damage Claims and for Certain Government Discovery., (226 in 1:21-mc-00101-AKH) MOTION for Determination of Applicable Law Regarding the Standard of Care., (239 in 1:21-mc-00101-AKH) MOTION for Determination of Applicable Law.. Document filed by 7 World Trade Center Company, L.P., Plaintiffs. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 05/25/2007)
05/25/2007	<u>95</u>	BRIEF re: (233 in 1:21-mc-00101-AKH) Notice (Other) <i>Memorandum of the Port Authority of New York and New Jersey in Support of Focused Discovery from the Government.</i> Document filed by The Port Authority of New York & New Jersey.Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(Jacob, Beth) (Entered: 05/25/2007)
06/05/2007	<u>96</u>	PRIVACY ACT ORDER. To the extent that the Government objects to providing the parties with the requested information on the ground that such production is prohibited by the Privacy Act, the objection is overruled and the US shall produce the Requested Information to the parties purs. to 5 U.S.C. 552a(b)(11). This Document relates to 21MC97. (Signed by Judge Alvin K. Hellerstein on 6/5/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 06/05/2007)
06/05/2007	<u>97</u>	AMENDED MEMORANDUM OF LAW in Opposition re: (252 in 1:21-mc-00101-AKH) MOTION for Determination of Applicable Law, Dismissal of Punitive Damage Claims and for Certain Government Discovery.. Document filed by 7 World Trade Center Company, L.P., Plaintiffs. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Cohen, Jason) (Entered: 06/05/2007)
06/06/2007	<u>98</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiff The Port Authority of New York and New Jersey (PANYNJ), contained in the Amended Flight 11 Master Liability Complaint and 175 Master Liability Complaint, against defendant AirTran, are hereby dismissed without prejudice and without costs to either party as against the other... and as further set forth in said stipulation of dismissal. This Document relates to 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 6/6/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 06/07/2007)
07/23/2007	<u>99</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiffs World Trade Center Properties LLC, 1 World Trade Center LLC, 2 World Trade Center LLC, 4 World Trade Center LLC, 5 World Trade Center LLC, and 7 World Trade Company, L.P. contained in the Amended Cross-Claims by the WTCP Entities Against Certain Defendants In Plaintiffs Amended Flight 11 Master Liability Complaint and Cross-Claims by the WTCP Entities Against Certain Defendants In Plaintiffs Amended 175 Master Liability Complaint, against defendant America West, are hereby dismissed without prejudice and without costs to either party as against the other... and as further set forth in said stipulation of dismissal. This Document relates to 21MC101, 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 7/20/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 07/23/2007)
07/23/2007	<u>100</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiffs World Trade Center Properties LLC, 2 World Trade Center LLC, and 4 World Trade Center LLC, contained in the Cross-Claims by the WTCP Entities Against Certain Defendants In Plaintiffs Amended Flight 175 Master Liability Complaint against defendant Midwest, are hereby dismissed without prejudice and without costs to either party as against the other... and as further set forth in said stipulation of dismissal. This Document relates to 21MC101, 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 7/20/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 07/23/2007)
08/16/2007	<u>101</u>	MOTION to Amend/Correct <i>amended complaint</i> . Document filed by Aegis Insurance Services, Inc..Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 08/16/2007)
08/16/2007	<u>102</u>	DECLARATION of Michael Leavy in Support re: (101 in 1:02-cv-07188-AKH) MOTION to Amend/Correct.. Document filed by Aegis Insurance Services, Inc.. (Attachments: # <u>1</u> Exhibit # <u>2</u> Exhibit # <u>3</u> Exhibit # <u>4</u> Exhibit # <u>5</u> Exhibit)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 08/16/2007)
08/16/2007	<u>103</u>	AFFIDAVIT of Joseph Lynch in Support re: (101 in 1:02-cv-07188-AKH) MOTION to Amend/Correct.. Document filed by Aegis Insurance Services, Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 08/16/2007)
08/16/2007	<u>104</u>	MEMORANDUM OF LAW in Support re: (101 in 1:02-cv-07188-AKH) MOTION to Amend/Correct.. Document filed by Aegis Insurance Services, Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 08/16/2007)
09/07/2007	<u>105</u>	RESPONSE in Opposition re: <u>101</u> MOTION to Amend/Correct. <i>Brief in Opposition to Plaintiffs' Motion to Supplement the Amended Complaint.</i> Document filed by Port Authority of New York & New Jersey. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u> )(Jacob, Beth) (Entered: 09/07/2007)
09/11/2007	<u>106</u>	AFFIDAVIT OF SERVICE of Notice of Motion to Supplement Complaint, Brief in Support of Motion, Lynch Affidavit, Leavy Certification and Exhibits served on Beth Jacob, Esq., Defendants' Liaison Counsel; Timothy Tomasik, Plaintiffs'

		Liaison Counsel on August 16, 2007. Document filed by Aegis Insurance Services, Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 09/11/2007)
09/12/2007	<u>107</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Michael S. Leavy dated 9/11/07 re: Further to the request of Mr. Sutherland, we enclose a courtesy copy of Con Edison's Motion to Supplement the Complaint with all supporting documents, a served 8/16/07, and a courtesy copy of the opposition of the Port Authority with all supporting documents... ENDORSEMENT: "Since no prejudice caused by the proposed supplemental complaint has been shown the objection of lateness is overruled. Any party wishing to submit on the merits of the proposed supplemental complaint may do so by noon, Tuesday, 9/18/07. Argument will be held on 9/20/07, at 4:00pm." Argument set for 9/20/2007 at 04:00 PM before Judge Alvin K. Hellerstein. (Signed by Judge Alvin K. Hellerstein on 9/12/07) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 09/12/2007)
09/18/2007	<u>108</u>	REPLY AFFIRMATION of Michael S. Leavy in Support re: (101 in 1:02-cv-07188-AKH) MOTION to Amend/Correct.. Document filed by Aegis Insurance Services, Inc.. (Attachments: # <u>1</u> Exhibit)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 09/18/2007)
09/18/2007	<u>109</u>	REPLY MEMORANDUM OF LAW in Support re: (101 in 1:02-cv-07188-AKH) MOTION to Amend/Correct.. Document filed by Aegis Insurance Services, Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 09/18/2007)
09/18/2007	<u>110</u>	AFFIDAVIT OF SERVICE of Declaration of Michael S. Leavy with Exhibits, Repy Memorandum of Law served on Beth Jacob, Esq., Defendants' Liaison Counsel; Timothy Tomaszik, Esq., Plaintiffs' Liaison Counsel on September 18, 2007. Document filed by Aegis Insurance Services, Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Antin, Mark) (Entered: 09/18/2007)
09/21/2007	<u>111</u>	ORDER denying (316) Motion for leave to supplement its amended complaint in case 1:21-mc-00101-AKH; denying (101) Motion for leave to supplement its amended complaint in case 1:02-cv-07188-AKH. (Signed by Judge Alvin K. Hellerstein on 9/21/2007) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(kkc) (Entered: 09/21/2007)
09/24/2007	<u>112</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiffs The Port Authority of New York and New Jersey contained in the Cross-Claims by the Port Authority Against Certain Defendants In Plaintiffs' Amended Flight 175 Master Liability Complaint, against defendant Midwest, against Midwest, are hereby dismissed without prejudice and without costs to either party as against the other... and as further set forth in said stipulation of dismissal. This Document relates to 21MC101, 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 9/24/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 09/25/2007)
09/24/2007	<u>113</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiff The Port Authority of New York and New Jersey contained in the Amended Cross-Claims by the Port Authority Against Certain Defendants In Plaintiffs' Amended Flight 11 Master Liability Complaint and Cross-Claims by the Port Authority Against Certain Defendants In Plaintiffs' Amended 175 Master Liability Complaint, against defendant America West, are hereby dismissed without prejudice and without costs to either party as against the other... and as further set forth in said stipulation of dismissal. This Document relates to 21MC101, 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 9/24/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 09/25/2007)
12/19/2007	<u>114</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiffs The Port Authority of New York and New Jersey and additional cross-claim plaintiffs, WTC Retail LLC and The Port Authority Trans-Hudson Corporation contained in the Cross-Claims by the Port Authority Against Certain Defendants In Plaintiffs' Amended Flight 175 Master Liability Complaint, against defendant Delta Air Lines, Inc. v/s/h/a Delta Airlines, Inc. and Delta Express, Inc. are hereby dismissed without prejudice and without costs to either party as against the other. This Document relates to 21MC101, 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 12/19/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 12/20/2007)
12/19/2007	<u>115</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiffs The Port Authority of New York and New Jersey and additional cross-claim plaintiffs, WTC Retail LLC and The Port Authority Trans-Hudson Corporation contained in the Cross-Claims by the Port Authority Against Certain Defendants In Plaintiffs' Amended Flight 175 Master Liability Complaint and Cross-Claims By The Port Authority Against Certain Defendants In Plaintiffs' Amended Flight 11 Master Liability Complaint, against defendant ATA Airlines, Inc. s/h/a American Trans Air, Inc. are hereby dismissed without prejudice and without costs to either party as against the other. This Document relates to 21MC101, 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 12/19/07) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 12/20/2007)
12/20/2007	<u>116</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... It is hereby Stipulated and Agreed by and between the undersigned attorneys of record... that the Cross-Claims by the Cross-Claim Plaintiffs World Trade Center Properties LLC, 1 World Trade Center LLC, 2 World Trade Center LLC, 4 World Trade Center LLC, 5 World Trade Center LLC and 7 World Trade Company, L.P., contained in the Amended Cross-Claims by the WTCP Entities Against Certain Defendants In Plaintiffs' Amended Flight 11 Complaint and Cross-Claims by the WTCP Entities Against Certain Defendants In Plaintiffs' Amended 175 Master Liability Complaint, against defendant ATA, are hereby dismissed without prejudice and without costs to either party as against the other... and as further set forth. This Document relates to 21MC101, 21MC97 as well as All Cases. (Signed by Judge Alvin K. Hellerstein on 12/20/07) Filed In Associated Cases:

		1:21-mc-00101-AKH et al.(rjm) (Entered: 12/20/2007)
03/21/2008	<u>117</u>	MOTION for Adam Randall Sorkin to Appear Pro Hac Vice. Document filed by Port Authority of New York & New Jersey.(dle) (Entered: 03/24/2008)
03/26/2008	<u>118</u>	ORDER ADMITTING ATTORNEY PRO HAC VICE. Attorney Adam Randall Sorkin for The Port Authority of New York & New Jersey admitted Pro Hac Vice. This Document relates to 21mc101, 02cv7328, 02-7188. (Signed by Judge Alvin K. Hellerstein on 3/26/08) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 03/27/2008)
04/01/2008	<u>119</u>	MOTION to Amend/Correct <i>and Supplement Complaint</i> . Document filed by Consolidated Edison Company of New York, Inc..(Sachs, Franklin) (Entered: 04/01/2008)
04/01/2008	<u>120</u>	DECLARATION of Franklin M. Sachs, Esq. in Support re: <u>119</u> MOTION to Amend/Correct <i>and Supplement Complaint</i> .. Document filed by Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6 Part A, # <u>7</u> Exhibit 6 Part B, # <u>8</u> Exhibit 7, # <u>9</u> Exhibit 8)(Sachs, Franklin) (Entered: 04/01/2008)
04/01/2008	<u>121</u>	MEMORANDUM OF LAW in Support re: <u>119</u> MOTION to Amend/Correct <i>and Supplement Complaint</i> .. Document filed by Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 04/01/2008)
04/01/2008	<u>122</u>	AFFIDAVIT OF SERVICE of Papers in Supp of Motion to Amend served on Beth D. Jacob and Timothy Tomasik on April 1, 2008. Document filed by Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 04/01/2008)
05/01/2008	<u>123</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Beth D. Jacob dated 4/29/08 re: The parties have agreed to the following briefing schedule and submit it for the Court's approval. ENDORSEMENT: "So Ordered.", Set Deadlines/Hearing as to (399 in 1:21-mc-00101-AKH) MOTION to Dismiss <i>Notice of Motion by Defendant The Port Authority of New York and New Jersey to Dismiss the Complaint</i> . (The Port Authority's Reply to Doc. No. 399 due by 5/9/2008 - reply previously due by 4/29/08. Plaintiffs' reply to motion for leave to File Amended & Supplemental Complaint, to be filed by 6/9/08). This Document relates to 21mc101, 02-7188, 07-10582. (Signed by Judge Alvin K. Hellerstein on 4/30/08) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 05/01/2008)
05/09/2008	<u>124</u>	DECLARATION of Donald A. Klein in Opposition re: (119 in 1:02-cv-07188-AKH) MOTION to Amend/Correct <i>and Supplement Complaint</i> .. Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/09/2008)
05/09/2008	<u>125</u>	MEMORANDUM OF LAW in Opposition re: (119 in 1:02-cv-07188-AKH) MOTION to Amend/Correct <i>and Supplement Complaint. Defendant's Memorandum of Law in Opposition to Plaintiff's Motion to File an Amended and Supplemental Complaint</i> . Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/09/2008)
06/03/2008	<u>126</u>	MOTION for Sarah D. Youngblood to Appear Pro Hac Vice. Document filed by Port Authority of New York & New Jersey.(dle) (Entered: 06/05/2008)
06/17/2008	<u>127</u>	REPLY MEMORANDUM OF LAW in Support re: <u>119</u> MOTION to Amend/Correct <i>and Supplement Complaint</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 06/17/2008)
06/17/2008	<u>128</u>	AFFIDAVIT OF SERVICE of Reply Memorandum of Law in Support of Motion to File an Amended and Supplemental Complaint served on Beth Jacob, Esq. on 6/17/2008. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 06/17/2008)
06/17/2008	<u>129</u>	ORDER in case 1:21-mc-00101-AKH; granting (126) Motion for Sarah D. Youngblood to Appear Pro Hac Vice in case 1:02-cv-07188-AKH. This Document relates to 21mc101, 02-7328, 02-7188.. (Signed by Judge Alvin K. Hellerstein on 6/17/08) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 06/17/2008)
06/17/2008		Transmission to Attorney Admissions Clerk. Transmitted re: (486 in 1:21-mc-00101-AKH, 129 in 1:02-cv-07188-AKH) Order on Motion to Appear Pro Hac Vice,, to the Attorney Admissions Clerk for updating of Attorney Information. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 06/17/2008)
06/26/2008	<u>130</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Franklin M. Sachs dated 6/25/08 re: Counsel requests that the court grant oral argument under the "upon application" portion of Local Rule 6.1(c) prior to making any such decisions. ENDORSEMENT: motion for oral argument denied as unnecessary. The briefs, and numerous previous discussions have fully advised me. (Signed by Judge Alvin K. Hellerstein on 6/25/08) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH, 1:07-cv-07968-AKH(djc) (Entered: 06/26/2008)
06/26/2008	<u>131</u>	ORDER that the parties shall appear for a status conference on 7/7/08, 3pm., to discuss the status of these cases. I intend to fix a date at that time to close discovery, and to schedule dispositive motions. (Signed by Judge Alvin K. Hellerstein on 6/25/08) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 07/10/2008)
06/26/2008	<u>132</u>	OPINION AND ORDER DISMISSING COMPLAINT AND GRANTING LEAVE TO AMEND EARLIER COMPLAINT (MEMORANDUM & OPINION # 96186)... The Port Authority moves to dismiss. It argues that the

		one-year statute of limitations has run, that the new lawsuit would split the original and still-pending lawsuit, and that Con Ed's arguments to avoid those bars are without merit. Con Ed also moves for leave to amend and supplement its original complaint, if the Port Authority's motion is granted. I grant the Port Authority's motion to dismiss. I also grant Con Ed's motion to amend its original complaint, but deny its motion to supplement that complaint... and as further set forth. This Document relates to 21mc101, 02-7188 and 07-10582. (Signed by Judge Alvin K. Hellerstein on 6/26/08) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 07/10/2008)
07/11/2008	<u>133</u>	SECOND AMENDED COMPLAINT amending 10 Amended Complaint, against Port Authority of New York & New Jersey. Document filed by Liberty Insurance Underwriters, Inc., Aegis Insurance Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds, Consolidated Edison Company of New York, Inc. Related document: 10 Amended Complaint, filed by Nuclear Electric Insurance Limited, Consolidated Edison Company of New York, Inc., National Union Insurance Company of Pittsburgh, Liberty International Services, Inc., Underwriters at Lloyds, Aegis Insurance Services, Inc..(dle) (dile). (Entered: 07/11/2008)
07/17/2008	<u>134</u>	AFFIDAVIT OF SERVICE of Second Amended Complaint served on Port Authority of New York and New Jersey on July 16, 2008. Service was accepted by Beth Jacob, Esq. Document filed by Aegis Insurance Services, Inc.. (Antin, Mark) (Entered: 07/17/2008)
07/21/2008	<u>135</u>	STIPULATION AND ORDER OF DISMISSAL WITHOUT PREJUDICE... that any and all claims asserted and/or assertable by Plaintiff(s) World Trade Center Properties LLC, 2 World Trade Center LLC and 4 World Trade Center LLC against Defendant(s) Delta Air Lines, Inc. and Delta Express, Inc. with regard to United Airlines Flight 175 shall be dismissed by the Court without prejudice... and without costs to either party as against the other... and as further set forth. (Signed by Judge Alvin K. Hellerstein on 7/18/08) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) Modified on 7/21/2008 (rjm). (Entered: 07/21/2008)
07/28/2008	<u>136</u>	STIPULATION OF DISMISSAL WITHOUT PREJUDICE... that any and all claims asserted and/or assertable by Plaintiff(s) The Port Authority of New York and New Jersey, WTC Retail LLC and the Port Authority Trans-Hudson Corporation contained in the Complaint(08cv3701 and dated 4/16/08) against Defendant Delta Air Lines, Inc. with regard to United Airlines Flight 175 in the captioned lawsuit shall be dismissed by the Court without prejudice... and without costs to either party as against the other. (Signed by Judge Alvin K. Hellerstein on 7/28/08) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(rjm) (Entered: 07/28/2008)
08/01/2008		***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Franklin Michael Sachs for noncompliance with Section (3) of the S.D.N.Y. 3rd Amended Instructions For Filing An Electronic Case or Appeal and Section 1(d) of the S.D.N.Y. Procedures For Electronic Case Filing. E-MAIL the PDF for Document <u>133</u> Amended Complaint,, to: case_openings@nysd.uscourts.gov. (dle) (Entered: 08/01/2008)
09/23/2008	<u>137</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Franklin M. Sachs dated 9/23/08 re: the parties have agreed that additional time is needed for discovery before the motions are made and propose the following schedule, subject to the Court's approval. Moving papers: October 29, 2008, served by 6 pm; Opposing papers: December 17, 2008, served by 6pm; Reply papers: January 12, 2009, served by 6pm. ENDORSEMENT: The schedule is approved.. (Signed by Judge Alvin K. Hellerstein on 9/23/08) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(djc) (Entered: 09/24/2008)
10/02/2008	<u>138</u>	ANSWER to Amended Complaint. Document filed by Port Authority of New York & New Jersey.(Jacob, Beth) (Entered: 10/02/2008)
10/29/2008	<u>139</u>	MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. Responses due by 12/17/2008(Sachs, Franklin) (Entered: 10/29/2008)
10/29/2008	<u>140</u>	MEMORANDUM OF LAW in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 10/29/2008)
10/29/2008	<u>141</u>	DECLARATION of Franklin M. Sachs in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14)(Sachs, Franklin) (Entered: 10/29/2008)
10/29/2008	<u>142</u>	RULE 56.1 STATEMENT. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 10/29/2008)
10/29/2008	<u>143</u>	AFFIDAVIT of Barbara A. Carey in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin)

		(Entered: 10/29/2008)
10/31/2008	<u>144</u>	AFFIDAVIT OF SERVICE of Motion Papers served on Beth D. Jacob, Esq. and Timothy Tomasik, Esq on Oct. 29, 2008. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 10/31/2008)
11/06/2008	<u>145</u>	MOTION for Protective Order <i>Precluding the Deposition of James E. Goodwin, United's Former Chairman and CEO.</i> Document filed by United Air Lines, Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Redmond, Loretta) (Entered: 11/06/2008)
12/18/2008	<u>146</u>	DECLARATION of Beth D. Jacob in Opposition re: (139 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 12/18/2008)
12/18/2008	<u>147</u>	MEMORANDUM OF LAW in Opposition re: (139 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint..</i> Document filed by The Port Authority of New York & New Jersey. (Attachments: # 1 Appendix)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 12/18/2008)
12/18/2008	<u>148</u>	RESPONSE in Opposition re: (139 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint. Defendant Port Authority's Response to Plaintiff's Statement of Material Facts in Support of Motion for Partial Summary Judgment and Its CounterStatement of Additional Material Disputed Facts.</i> Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 12/18/2008)
12/24/2008	<u>149</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Strike Document No. [146, 147 and 148]. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc..(Sachs, Franklin) Modified on 12/29/2008 (jar). (Entered: 12/24/2008)
12/24/2008	<u>150</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MEMORANDUM OF LAW in Support re: <u>149</u> MOTION to Strike Document No. [146, 147 and 148]. MOTION to Strike Document No. [146, 147 and 148]. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) Modified on 12/29/2008 (jar). (Entered: 12/24/2008)
12/24/2008	<u>151</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - DECLARATION of Franklin M. Sachs in Support re: <u>149</u> MOTION to Strike Document No. [146, 147 and 148]. MOTION to Strike Document No. [146, 147 and 148].. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) Modified on 12/29/2008 (jar). (Entered: 12/24/2008)
12/24/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Franklin Sachs to RE-FILE Document <u>149</u> MOTION to Strike Document No. [146, 147 and 148]. MOTION to Strike Document No. [146, 147 and 148]. ERROR(S): When filing a Motion with multiple requests each specific request must be selected from the Motions menu. If a specific motion is not listed, select Miscellaneous Relief. (ex/ Strike, Sanctions, Miscellaneous Relief) (jar) (Entered: 12/29/2008)
12/24/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Franklin Sachs to RE-FILE Document <u>150</u> Memorandum of Law in Support of Motion. ERROR(S): Link supporting document to correctly re-filed motion. (jar) (Entered: 12/29/2008)
12/24/2008		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Franklin Sachs to RE-FILE Document <u>151</u> Declaration in Support of Motion. ERROR(S): Link supporting document to correctly re-filed motion. (jar) (Entered: 12/29/2008)
12/30/2008	<u>152</u>	MOTION to Strike Document No. [146, 147, 148].. MOTION for Sanctions. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc..(Sachs, Franklin) (Entered: 12/30/2008)
12/30/2008	<u>153</u>	MEMORANDUM OF LAW in Support re: <u>152</u> MOTION to Strike Document No. [146, 147, 148]. MOTION for Sanctions. MOTION to Strike Document No. [146, 147, 148].. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 12/30/2008)
12/30/2008	<u>154</u>	DECLARATION of Franklin M. Sachs in Support re: <u>152</u> MOTION to Strike Document No. [146, 147, 148]. MOTION for Sanctions. MOTION to Strike Document No. [146, 147, 148].. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 12/30/2008)

12/30/2008	<u>155</u>	NOTICE OF CHANGE OF ADDRESS by Mark Alan Bloom on behalf of The City of New York. New Address: (Bloom, Mark) (Entered: 12/30/2008)
01/12/2009	<u>156</u>	REPLY MEMORANDUM OF LAW in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> . Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 01/12/2009)
01/12/2009	<u>157</u>	DECLARATION of Franklin M. Sachs in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> . Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Sachs, Franklin) (Entered: 01/12/2009)
01/12/2009	<u>158</u>	RULE 56.1 STATEMENT. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 01/12/2009)
01/12/2009	<u>159</u>	AFFIDAVIT OF SERVICE of Reply Papers on Motion for Summary Judgment served on Beth Jacob and Timothy Tomasik on 01/12/2009. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 01/12/2009)
01/13/2009	<u>160</u>	MEMORANDUM OF LAW in Opposition re: <u>149</u> MOTION to Strike Document No. [146, 147 and 148]. MOTION to Strike Document No. [146, 147 and 148], <u>152</u> MOTION to Strike Document No. [146, 147, 148]. MOTION for Sanctions. MOTION to Strike Document No. [146, 147, 148]. <i>Memorandum of Law of the Port Authority of New York and New Jersey in Opposition to Plaintiffs' Motion to Strike Opposition and Impose Sanctions.</i> Document filed by Port Authority of New York & New Jersey. (Jacob, Beth) (Entered: 01/13/2009)
01/13/2009	<u>161</u>	DECLARATION of Beth D. Jacob in Opposition re: <u>149</u> MOTION to Strike Document No. [146, 147 and 148]. MOTION to Strike Document No. [146, 147 and 148], <u>152</u> MOTION to Strike Document No. [146, 147, 148]. MOTION for Sanctions. MOTION to Strike Document No. [146, 147, 148]. Document filed by Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Jacob, Beth) (Entered: 01/13/2009)
01/21/2009	<u>162</u>	REPLY MEMORANDUM OF LAW in Support re: <u>152</u> MOTION to Strike Document No. [146, 147, 148]. MOTION for Sanctions. MOTION to Strike Document No. [146, 147, 148]. Document filed by Consolidated Edison Company of New York, Inc.. (Antin, Mark) (Entered: 01/21/2009)
01/21/2009	<u>163</u>	AFFIDAVIT OF SERVICE of Reply Memorandum of Law in Further Support of Motion to Strike Opposition and Impose Sanctions served on Beth Jacob, Esq., Timothy Tomasik, Esq., Richard Williamson, Esq., Desmond T. Barry, Esq. on January 21, 2009. Document filed by Consolidated Edison Company of New York, Inc.. (Antin, Mark) (Entered: 01/21/2009)
01/30/2009	<u>164</u>	DECLARATION of Beth D. Jacob in Opposition re: (139 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> . Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit A through K, # <u>2</u> Exhibit L through N)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 01/30/2009)
01/30/2009	<u>165</u>	REPLY MEMORANDUM OF LAW in Opposition re: (139 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint. THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY'S SURREPLY TO PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT.</i> Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 01/30/2009)
02/02/2009	<u>166</u>	ORDER DENYING MOTION FOR SANCTIONS AND REGULATING PROCEEDINGS. Plaintiff Consolidated Edison Company of New York, Inc. ("Con Edison") has moved for summary judgment on Counts Three and Four of its Second Amended Complaint. As the motion is now fully briefed, the parties shall appear before me for oral argument on February 23, 2009, at 4:00 p.m. The status conference in the above-captioned cases currently scheduled for February 6, 2009 is hereby adjourned to occur in conjunction with the oral argument on February 23, 2009. In addition, Con Edison moves to sanction the Port Authority of New York and New Jersey ("Port Authority") for relying, in its opposition papers, on various assertions in a report by the National Institute of Standards and Technology (NIST), and to strike these assertions or Port Authority's opposition papers in full. Alternatively, Con Edison asks for leave to file an additional submission to respond to Port Authority's use of the NIST Report. The motion to strike and for sanctions is denied, in both of its parts. A case for sanctions has not been made. If the Court finds the assertions from the NIST Report worthy of consideration, Con Edison may ask for an opportunity to comment. In its papers, Port Authority comments that Con Edison filed its motion for partial summary judgment before discovery was completed. I wish to know what additional discovery is expected or planned that the parties reasonably anticipate will elicit admissible evidence to clarify their contemporaneous understandings of the meaning of the relevant clauses of the lease agreement. Both parties' submissions on this question will be due on February 13, 2009, at 12:00 p.m. The Clerk shall mark the motion to strike and for sanctions (Doc. #152) as terminated. ( Oral Argument set for 2/23/2009 at 04:00 PM before Judge Alvin K. Hellerstein.), Motions terminated: (152 in 1:02-cv-07188-AKH) MOTION to Strike Document No. [146, 147, 148].

		MOTION for Sanctions. filed by Nuclear Electric Insurance Limited, Consolidated Edison Company of New York, Inc., National Union Insurance Company of Pittsburgh, Liberty International Services, Inc., Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Aegis Insurance Services, Inc. (Signed by Judge Alvin K. Hellerstein on 2/2/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(jrm) (Entered: 02/02/2009)
02/04/2009	<u>167</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Beth D. Jacob dated 1/30/2009 re: We represent defendant The Port Authority of New York and New Jersey in the WTC7 Litigation. We respectfully request the Court accept the enclosed surreply in opposition to Con Edison's motion for partial summary judgment, which was served on Plaintiffs today. In its reply papers in support of the motion, Con Edison attacks the Port Authority and its counsel for asserting that it is a contested fact whether and to what extent the substation was damaged on September 11,2001 by dust and debris before the collapse of WTC7. Con Edison stated that this assertion could not be made in good faith, had no support in the record, and would justify imposition of sanctions under Rule 11 of the Federal Rules of Civil Procedure. Con Edison also invited the Port Authority to submit a surreply justifying its statements. ENDORSEMENT: Denied. The Sur-Reply is returned un-read. The appl'n may be reviewed if needed, at argument. (Signed by Judge Alvin K. Hellerstein on 2/4/2009) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(jmi) Modified on 2/6/2009 (jmi). (Entered: 02/06/2009)
02/10/2009	<u>168</u>	SCHEDULING ORDER: The oral argument and status conference in the above-captioned cases currently scheduled for February 23,2009, at 4:00 p.m. is hereby rescheduled to occur on February 23, 2009, at 2: 15 p.m.SO ORDERED. Oral Argument set for 2/23/2009 at 02:15 PM before Judge Alvin K. Hellerstein. (Signed by Judge Denise L. Cote on 2/10/2009 Part I) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(jmi) (Entered: 02/11/2009)
02/11/2009	<u>178</u>	MOTION for Jane J. Felton to Appear Pro Hac Vice. Document filed by Plaintiffs, Koudis International, Inc., American Alternative Insurance Corporation, The Princeton Excess & Surplus Lines Insurance Company, 80 Lafayette Associates, L.L.C., Certain Underwriters at Lloyd's, London as Members of Syndicates Numbered 1212, 1241, 79, 506, and 2791, QBE International Insurance Ltd., Serko & Simon, LLP, Consolidated Edison Company of New York, Inc., Mayore Estates, LLC, Industrial Risk Insurers, Certain Underwriters at Lloyd's Comprising Syndicates No. 33,1003,2003,1208,1243,0376, Great Lakes Reinsurance (UK) PLC, World Trade Center Properties LLC, 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC, Assurances Generales De France, Assurances Generales de Franci Iart, Fireman's Fund Insurance Company, Woburn Insurance, Ltd., Greater New York Mutual Insurance Company, Insurance Company of Greater New York, Munich-American Risk Partners, Barclay Dwyer Co., Inc., Underwriters at Lloyd's, American Re-Insurance Company, AXA Art Insurance Corporation, AXA Cessions, AXA Corporate Solutions Assurance, Karoon Capital Management, Inc., AXA Corporate Solutions Services UK, Ltd., AXA Corporation Solutions Assurance Canadian Branch, AXA RE, AXA RE Madeira Branch, AXA Re Asia Pacific PTE. Ltd., Mary Bavis, Michael Keating, Gary Michael Low, AXA Reinsurance UK, PLC, AXA Verischerung AG, N.S. Windows, LLC, Axa Corporation Solutions Insurance Company, Compagnie Generale De Reassurance De Monte Carlo, SPS Reassurance, Aegis Insurance Services, Inc., Liberty Insurance Underwriters, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Certain Underwriters at Lloyds, (Syndicates 1225 and 1511), Tower Computer Services, Inc., Wall Street Realty Capital, Inc., MVN Associates, Inc., World Trade Farmers Market, Inc., Muenchener Rueckversicherungs-Gesellschaft, Munich Reinsurance Company UK General Branch, Marsha Van Name, AXA Corporate Solutions Assurance UK Branch, AXA Corporate Solutions Reinsurance Company, AXA Global Risk UK, Ltd., AXA RE Canadian Branch, CO2e.com, LLC, Cantor Fitzgerald & Co., Cantor Fitzgerald Associates, L.P., Cantor Fitzgerald Brokerage, L.P., Floyd Van Name, Cantor Fitzgerald Europe, Cantor Fitzgerald International, Cantor Fitzgerald Partners, Cantor Fitzgerald Securities, Cantor Fitzgerald L.P., Cantor Index Limited, Espeed, Inc., TradeSpark, L.P., eSpeed Government Securities, Inc., Daniel D'Aquila, eSpeed Securities, Inc., Adem Arici, Mayore Estates, L.L.C., Nuclear Electric Insurance Limited, Underwriters at Lloyds, Consolidated Edison Company of New York, Inc..Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(jmi) (jmi). (Entered: 02/23/2009)
02/13/2009	<u>169</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Summary Judgment <i>Dismissing All Subrogation Claims</i> . Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. Responses due by 4/15/2009Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) Modified on 2/17/2009 (jar). (Entered: 02/13/2009)
02/13/2009	<u>170</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - RULE 56.1 STATEMENT. Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) Modified on 2/17/2009 (jar). (Entered: 02/13/2009)
02/13/2009	<u>171</u>	NOTICE of PORT AUTHORITY OF NEW YORK AND NEW JERSEY SUBMISSION CONCERNING ADDITIONAL DISCOVERY IN ACCORDANCE WITH FEBRUARY 2, 2009 ORDER re: (166 in 1:02-cv-07188-AKH, 166 in 1:02-cv-07188-AKH, 166 in 1:02-cv-07188-AKH, 704 in 1:21-mc-00101-AKH, 704 in 1:21-mc-00101-AKH, 704 in 1:21-mc-00101-AKH) Order, Set Deadlines/Hearings, Terminate Motions,,,,,,,,,,,. Document filed by Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 02/13/2009)
02/13/2009	<u>172</u>	FILING ERROR - DEFICIENT DOCKET ENTRY - AFFIDAVIT of Cathi A. Hession in Support re: (41 in 1:04-cv-07136-AKH, 43 in 1:03-cv-10203-AKH, 55 in 1:04-cv-05020-AKH, 32 in 1:08-cv-10646-AKH, 31 in 1:04-cv-07213-AKH, 54 in 1:04-cv-05021-AKH, 48 in 1:02-cv-07198-AKH, 65 in 1:04-cv-07231-AKH, 169 in 1:02-cv-07188-AKH, 69 in 1:02-cv-07260-AKH, 67 in 1:04-cv-07225-AKH, 48 in 1:03-cv-06940-AKH, 13 in 1:04-cv-06788-AKH, 101 in 1:02-cv-07145-AKH, 70 in 1:04-cv-07199-AKH, 54 in 1:04-cv-05025-AKH, 86 in 1:03-cv-00131-AKH, 54 in 1:04-cv-05024-AKH, 9 in 1:08-cv-03701-AKH, 37 in 1:04-cv-07318-AKH, 55 in 1:04-cv-

		<p>07241-AKH, 24 in 1:07-cv-07968-AKH, 64 in 1:04-cv-07248-AKH, 45 in 1:08-cv-03719-AKH, 13 in 1:03-cv-09965-AKH, 63 in 1:04-cv-07299-AKH, 42 in 1:03-cv-06925-AKH, 12 in 1:04-cv-07914-AKH, 58 in 1:04-cv-07294-AKH, 83 in 1:02-cv-02987-AKH, 15 in 1:04-cv-01350-AKH, 351 in 1:04-cv-07272-AKH, 38 in 1:02-cv-10052-AKH, 54 in 1:04-cv-05023-AKH, 118 in 1:03-cv-06800-AKH, 55 in 1:04-cv-07240-AKH, 91 in 1:02-cv-07154-AKH, 48 in 1:08-cv-03722-AKH, 64 in 1:04-cv-07291-AKH, 58 in 1:04-cv-07244-AKH, 719 in 1:21-mc-00101-AKH, 60 in 1:04-cv-07238-AKH, 56 in 1:04-cv-07298-AKH, 75 in 1:04-cv-07234-AKH, 55 in 1:04-cv-05022-AKH, 56 in 1:04-cv-07246-AKH, 56 in 1:04-cv-06848-AKH, 53 in 1:04-cv-04577-AKH, 12 in 1:08-cv-03700-AKH, 15 in 1:04-cv-06789-AKH, 83 in 1:03-cv-07040-AKH, 12 in 1:07-cv-07969-AKH, 81 in 1:03-cv-06811-AKH) MOTION for Summary Judgment.. Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. (Attachments: # <u>1</u> Exhibit 1 to Hession Affidavit part 1 of 2, # <u>2</u> Exhibit 1 to Hession Affidavit part 2 of 2, # <u>3</u> Exhibit 2 to Hession Affidavit, # <u>4</u> Exhibit 3 to Hession Affidavit part 1 of 4, # <u>5</u> Exhibit 4 to Hession Affidavit part 2 of 2, # <u>6</u> Exhibit 4 to Hession Affidavit part 1 of 4, # <u>7</u> Exhibit 4 to Hession Affidavit part 3 of 4, # <u>8</u> Exhibit 4 to Hession Affidavit part 4 of 4, # <u>9</u> Exhibit 5 to Hession Affidavit, # <u>10</u> Exhibit 6 to Hession Affidavit, # <u>11</u> Exhibit 7 to Hession Affidavit, # <u>12</u> Exhibit 8 to Hession Affidavit, # <u>13</u> Exhibit 9 to Hession Affidavit, # <u>14</u> Exhibit 10 to Hession Affidavit, # <u>15</u> Exhibit 11 to Hession Affidavit, # <u>16</u> Exhibit 12 to Hession Affidavit part 1 of 2, # <u>17</u> Exhibit 12 to Hession Affidavit part 2 of 2, # <u>18</u> Exhibit 13 to Hession Affidavit, # <u>19</u> Exhibit 14 to Hession Affidavit, # <u>20</u> Exhibit 15 to Hession Affidavit, # <u>21</u> Exhibit 16 to Hession Affidavit, # <u>22</u> Exhibit 17 to Hession Affidavit, # <u>23</u> Exhibit 18 to Hession Affidavit, # <u>24</u> Exhibit 19 to Hession Affidavit, # <u>25</u> Exhibit 20 to Hession Affidavit, # <u>26</u> Exhibit 21 to Hession Affidavit, # <u>27</u> Exhibit 22 to Hession Affidavit, # <u>28</u> Exhibit 23 to Hession Affidavit, # <u>29</u> Exhibit 24 to Hession Affidavit, # <u>30</u> Exhibit 25 to Hession Affidavit) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) Modified on 2/17/2009 (jar). (Entered: 02/13/2009)</p>
02/13/2009	<u>173</u>	<p>FILING ERROR - DEFICIENT DOCKET ENTRY - MEMORANDUM OF LAW in Support re: (63 in 1:04-cv-07299-AKH, 42 in 1:03-cv-06925-AKH, 41 in 1:04-cv-07136-AKH, 43 in 1:03-cv-10203-AKH, 55 in 1:04-cv-05020-AKH, 32 in 1:08-cv-10646-AKH, 12 in 1:04-cv-07914-AKH, 31 in 1:04-cv-07213-AKH, 58 in 1:04-cv-07294-AKH, 83 in 1:02-cv-02987-AKH, 54 in 1:04-cv-05021-AKH, 48 in 1:02-cv-07198-AKH, 65 in 1:04-cv-07231-AKH, 169 in 1:02-cv-07188-AKH, 15 in 1:04-cv-01350-AKH, 351 in 1:04-cv-07272-AKH, 69 in 1:02-cv-07260-AKH, 54 in 1:04-cv-05023-AKH, 38 in 1:02-cv-10052-AKH, 118 in 1:03-cv-06800-AKH, 55 in 1:04-cv-07240-AKH, 67 in 1:04-cv-07225-AKH, 91 in 1:02-cv-07154-AKH, 48 in 1:08-cv-03722-AKH, 64 in 1:04-cv-07291-AKH, 58 in 1:04-cv-07244-AKH, 48 in 1:03-cv-06940-AKH, 719 in 1:21-mc-00101-AKH, 60 in 1:04-cv-07238-AKH, 56 in 1:04-cv-07298-AKH, 13 in 1:04-cv-06788-AKH, 75 in 1:04-cv-07234-AKH, 55 in 1:04-cv-05022-AKH, 101 in 1:02-cv-07145-AKH, 56 in 1:04-cv-07246-AKH, 70 in 1:04-cv-07199-AKH, 86 in 1:03-cv-00131-AKH, 54 in 1:04-cv-05025-AKH, 56 in 1:04-cv-06848-AKH, 54 in 1:04-cv-05024-AKH, 9 in 1:08-cv-03701-AKH, 53 in 1:04-cv-04577-AKH, 12 in 1:08-cv-03700-AKH, 37 in 1:04-cv-07318-AKH, 15 in 1:04-cv-06789-AKH, 55 in 1:04-cv-07241-AKH, 24 in 1:07-cv-07968-AKH, 83 in 1:03-cv-07040-AKH, 12 in 1:07-cv-07969-AKH, 64 in 1:04-cv-07248-AKH, 81 in 1:03-cv-06811-AKH, 45 in 1:08-cv-03719-AKH, 13 in 1:03-cv-09965-AKH) MOTION for Summary Judgment.. Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) Modified on 2/17/2009 (jar). (Entered: 02/13/2009)</p>
02/17/2009	<u>174</u>	<p>MOTION for Summary Judgment <i>Dismissing All Subrogation Claims</i>. Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. Responses due by 4/15/2009 Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) (Entered: 02/17/2009)</p>
02/17/2009	<u>175</u>	<p>RULE 56.1 STATEMENT. Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) (Entered: 02/17/2009)</p>
02/17/2009	<u>176</u>	<p>AFFIDAVIT of Cathi A. Hession in Support re: (62 in 1:04-cv-07244-AKH, 62 in 1:04-cv-07294-AKH, 69 in 1:04-cv-07231-AKH, 60 in 1:04-cv-07246-AKH, 79 in 1:04-cv-07234-AKH, 724 in 1:21-mc-00101-AKH, 67 in 1:04-cv-07299-AKH, 59 in 1:04-cv-07240-AKH, 90 in 1:03-cv-00131-AKH, 64 in 1:04-cv-07238-AKH, 355 in 1:04-cv-07272-AKH, 74 in 1:04-cv-07199-AKH, 68 in 1:04-cv-07248-AKH, 59 in 1:04-cv-07241-AKH, 174 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>Dismissing All Subrogation Claims</i>. Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. (Attachments: # <u>1</u> Exhibit 1 to Hession Affidavit (part 1 of 2), # <u>2</u> Exhibit 1 to Hession Affidavit (part 2 of 2), # <u>3</u> Exhibit 2 to Hession Affidavit, # <u>4</u> Exhibit 3 to Hession Affidavit, # <u>5</u> Exhibit 4 to Hession Affidavit (part 1 of 4), # <u>6</u> Exhibit 4 to Hession Affidavit (part 2 of 4), # <u>7</u> Exhibit 4 to Hession Affidavit (part 3 of 4), # <u>8</u> Exhibit 4 to Hession Affidavit (part 4 of 4), # <u>9</u> Exhibit 5 to Hession Affidavit, # <u>10</u> Exhibit 6 to Hession Affidavit, # <u>11</u> Exhibit 7 to Hession Affidavit, # <u>12</u> Exhibit 8 to Hession Affidavit, # <u>13</u> Exhibit 9 to Hession Affidavit, # <u>14</u> Exhibit 10 to Hession Affidavit, # <u>15</u> Exhibit 11 to Hession Affidavit, # <u>16</u> Exhibit 12 to Hession Affidavit (part 1 of 2), # <u>17</u> Exhibit 12 to Hession Affidavit (part 2 of 2), # <u>18</u> Exhibit 13 to Hession Affidavit, # <u>19</u> Exhibit 14 to Hession Affidavit, # <u>20</u> Exhibit 15 to Hession Affidavit, # <u>21</u> Exhibit 16 to Hession Affidavit, # <u>22</u> Exhibit 17 to Hession Affidavit, # <u>23</u> Exhibit 18 to Hession Affidavit, # <u>24</u> Exhibit 19 to Hession Affidavit, # <u>25</u> Exhibit 20 to Hession Affidavit, # <u>26</u> Exhibit 21 to Hession Affidavit, # <u>27</u> Exhibit 22 to Hession Affidavit, # <u>28</u> Exhibit 23 to Hession Affidavit, # <u>29</u> Exhibit 24 to Hession Affidavit, # <u>30</u> Exhibit 25 to Hession Affidavit) Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) (Entered: 02/17/2009)</p>
02/17/2009	<u>177</u>	<p>MEMORANDUM OF LAW in Support re: (62 in 1:04-cv-07244-AKH, 64 in 1:04-cv-07238-AKH, 62 in 1:04-cv-07294-AKH, 355 in 1:04-cv-07272-AKH, 74 in 1:04-cv-07199-AKH, 69 in 1:04-cv-07231-AKH, 60 in 1:04-cv-07246-AKH, 79 in 1:04-cv-07234-AKH, 68 in 1:04-cv-07248-AKH, 724 in 1:21-mc-00101-AKH, 67 in 1:04-cv-</p>

		07299-AKH, 59 in 1:04-cv-07240-AKH, 59 in 1:04-cv-07241-AKH, 174 in 1:02-cv-07188-AKH, 90 in 1:03-cv-00131-AKH) MOTION for Summary Judgment., (725 in 1:21-mc-00101-AKH, 60 in 1:04-cv-06848-AKH) MOTION for Summary Judgment <i>Dismissing All Subrogation Claims..</i> Document filed by 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4 World Trade Center LLC. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) (Entered: 02/17/2009)
02/26/2009		Minute Entry for proceedings held before Judge Alvin K. Hellerstein: Status Conference held on 2/26/2009. (mro) (Entered: 02/27/2009)
03/06/2009		CASHIERS OFFICE REMARK on 178 Motion to Appear Pro Hac Vice,,,..., in the amount of \$25.00, paid on 02/11/2009, Receipt Number 679180. (jd) (Entered: 03/06/2009)
03/12/2009	179	TRANSCRIPT of proceedings held on 2/23/09 before Judge Alvin K. Hellerstein. (ama) (Entered: 03/21/2009)
03/31/2009	180	MOTION for Anita Weinstein to Appear Pro Hac Vice. Document filed by Tishman Construction Corporation. Relates to 02-7328, 02-7188, 04-7272. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 04/03/2009)
04/03/2009	181	ORDER granting (363) Motion for Anita Weinstein to Appear Pro Hac Vice in case 1:04-cv-07272-AKH; granting (782) Motion for Anita Weinstein to Appear Pro Hac Vice in case 1:21-mc-00101-AKH; granting (180) Motion for Anita Weinstein to Appear Pro Hac Vice in case 1:02-cv-07188-AKH. Relates to 21mc101, 02-7328, 02-7188, 04-7272. (Signed by Judge Alvin K. Hellerstein on 4/3/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 04/05/2009)
04/03/2009		Transmission to Attorney Admissions Clerk. Transmitted re: (364 in 1:04-cv-07272-AKH, 784 in 1:21-mc-00101-AKH, 181 in 1:02-cv-07188-AKH) Order on Motion to Appear Pro Hac Vice,, to the Attorney Admissions Clerk for updating of Attorney Information. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 04/05/2009)
04/20/2009	182	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Beth D. Jacob dated 4/20/09 re: request for a brief extension to this Friday, April 24, 2009, for the supplemental submission due today on Con Edison's motion for partial summary judgment. This would make the reply submissions due Monday, May 18 instead of May 12. ENDORSEMENT: So Ordered., ( Replies due by 5/18/2009.). Relates to 21mc101, 02-7188, 07-10582. (Signed by Judge Alvin K. Hellerstein on 2/20/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 04/20/2009)
04/24/2009	183	SUPPLEMENTAL BRIEF <i>in Support of Motion for Partial Summary Judgment and in Response to Issues Raised by Court at February 23, 2009 Hearing.</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc..(Sachs, Franklin) (Entered: 04/24/2009)
04/24/2009	184	DECLARATION of Franklin M. Sachs in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint..</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2, # 3 Exhibit Exhibit 3, # 4 Exhibit Exhibit 4, # 5 Supplement Declaration of Service)(Sachs, Franklin) (Entered: 04/24/2009)
04/24/2009	185	DECLARATION of MARC G. GILMAN <i>in Support of February 23, 2009 Provisional Ruling.</i> Document filed by The Port Authority of New York & New Jersey. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit A, # 4 Exhibit B, # 5 Exhibit C, # 6 Exhibit D, # 7 Exhibit E, # 8 Exhibit F, # 9 Exhibit G, # 10 Exhibit H, # 11 Exhibit I, # 12 Exhibit J, # 13 Exhibit K, # 14 Exhibit L, # 15 Exhibit M, # 16 Exhibit N, # 17 Exhibit 3, # 18 Exhibit 4, # 19 Exhibit 5, # 20 Exhibit 6, # 21 Exhibit 7, # 22 Exhibit 8, # 23 Exhibit 9, # 24 Exhibit 10)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 04/24/2009)
04/24/2009	186	MEMORANDUM OF LAW re: (790 in 1:21-mc-00101-AKH) Declaration,, <i>Memorandum of Law of the Port Authority of New York and New Jersey in Support of February 23, 2009 Provisional Ruling.</i> Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 04/24/2009)
05/07/2009	187	ORDER FOR ADMISSION PRO HAC VICE. IT IS HEREBY ORDERED that: Jane J. Felton is admitted to practice pro hac vice as counsel for Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel, if it has not done so already, shall forward the pro hac vice fee to the Clerk of the Court. Relates to 21mc101, 02-7188, 07-10582. granting (733) Motion for Jane J. Felton to Appear Pro Hac Vice in case 1:21-mc-00101-AKH; granting (178) Motion for Jane J. Felton to Appear Pro Hac Vice in case 1:02-cv-07188-AKH. (Signed by Judge Alvin K. Hellerstein on 5/7/09). Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 05/08/2009)
05/07/2009		Transmission to Attorney Admissions Clerk. Transmitted re: (187 in 1:02-cv-07188-AKH, 795 in 1:21-mc-00101-AKH) Order on Motion to Appear Pro Hac Vice,,, to the Attorney Admissions Clerk for updating of Attorney Information. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 05/08/2009)

05/18/2009	<u>188</u>	REPLY MEMORANDUM OF LAW in Support <i>Reply Memorandum of Law of the Port Authority of New York and New Jersey in Support of February 23, 2009 Provisional Ruling</i> . Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>189</u>	REPLY MEMORANDUM OF LAW in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint, and in Response to Issues Raised by Court at February 23, 2009 Hearing</i> . Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 05/18/2009)
05/18/2009	<u>190</u>	DECLARATION of Franklin M. Sachs in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint</i> . Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 05/18/2009)
05/18/2009	<u>191</u>	DECLARATION of M. Eleonor Ignacio in Support re: (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>192</u>	DECLARATION of M. Eleonor Ignacio in Support re: (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 9, # <u>2</u> Exhibit 10, # <u>3</u> Exhibit 11, # <u>4</u> Exhibit 12, # <u>5</u> Exhibit 13, # <u>6</u> Exhibit 14, # <u>7</u> Exhibit 15)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>193</u>	DECLARATION of M. Eleonor Ignacio in Support re: (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 16, # <u>2</u> Exhibit 17, # <u>3</u> Exhibit 18)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>194</u>	DECLARATION of M. Eleonor Ignacio in Support re: (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 7 (PART 1))Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>195</u>	DECLARATION of M. ELEONOR IGNACIO in Support re: (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 7 (PART 2))Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>196</u>	DECLARATION of M. Eleonor Ignacio in Support re: (195 in 1:02-cv-07188-AKH, 807 in 1:21-mc-00101-AKH) Declaration in Support,, (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 7 (PART 3))Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>197</u>	DECLARATION of M. Eleonor Ignacio in Support re: (195 in 1:02-cv-07188-AKH, 807 in 1:21-mc-00101-AKH) Declaration in Support,, (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support, (196 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 8 (PART 1))Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>198</u>	DECLARATION of M. Eleonor Ignacio in Support re: (809 in 1:21-mc-00101-AKH, 197 in 1:02-cv-07188-AKH) Declaration in Support,, (195 in 1:02-cv-07188-AKH, 807 in 1:21-mc-00101-AKH) Declaration in Support,, (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support,. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 8 (PART 2))Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)

05/18/2009	<u>199</u>	AFFIDAVIT in Support re: (809 in 1:21-mc-00101-AKH, 197 in 1:02-cv-07188-AKH) Declaration in Support,,, (195 in 1:02-cv-07188-AKH, 807 in 1:21-mc-00101-AKH) Declaration in Support,, (810 in 1:21-mc-00101-AKH, 198 in 1:02-cv-07188-AKH) Declaration in Support,,, (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (196 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (196 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,, Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 19 (PART 1))Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>200</u>	DECLARATION of M. Eleonor Ignacio in Support re: (809 in 1:21-mc-00101-AKH, 197 in 1:02-cv-07188-AKH) Declaration in Support,,, (195 in 1:02-cv-07188-AKH, 807 in 1:21-mc-00101-AKH) Declaration in Support,, (810 in 1:21-mc-00101-AKH, 198 in 1:02-cv-07188-AKH) Declaration in Support,,, (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (196 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (196 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (196 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,, Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 19 (PART 2))Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/18/2009	<u>201</u>	DECLARATION of M. Eleonor Ignacio in Support re: (809 in 1:21-mc-00101-AKH, 197 in 1:02-cv-07188-AKH) Declaration in Support,,, (195 in 1:02-cv-07188-AKH, 807 in 1:21-mc-00101-AKH) Declaration in Support,, (810 in 1:21-mc-00101-AKH, 198 in 1:02-cv-07188-AKH) Declaration in Support,,, (804 in 1:21-mc-00101-AKH, 192 in 1:02-cv-07188-AKH) Declaration in Support, (802 in 1:21-mc-00101-AKH, 188 in 1:02-cv-07188-AKH) Reply Memorandum of Law in Support, (191 in 1:02-cv-07188-AKH, 803 in 1:21-mc-00101-AKH) Declaration in Support, (194 in 1:02-cv-07188-AKH, 806 in 1:21-mc-00101-AKH) Declaration in Support,, (196 in 1:02-cv-07188-AKH, 808 in 1:21-mc-00101-AKH) Declaration in Support,, (200 in 1:02-cv-07188-AKH, 812 in 1:21-mc-00101-AKH) Declaration in Support,,, (193 in 1:02-cv-07188-AKH, 805 in 1:21-mc-00101-AKH) Declaration in Support,, (199 in 1:02-cv-07188-AKH, 199 in 1:02-cv-07188-AKH, 811 in 1:21-mc-00101-AKH, 811 in 1:21-mc-00101-AKH) Affidavit in Support, Declaration in Support,, Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 20, # <u>2</u> Exhibit 21)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 05/18/2009)
05/22/2009	<u>202</u>	ORDER GRANTING LEAVE TO FILE FURTHER SUBMISSIONS. By letter dated May 20, 2009, Con Edison asks to augment its post-hearing submissions with a surreply. The parties may submit further papers and proofs to respond to the above suggestion, on new matter only, by June 12, 2009. After that date, the record of the motion will be closed. (Signed by Judge Alvin K. Hellerstein on 5/21/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 05/22/2009)
05/22/2009		Set Deadlines/Hearings: Surreplies due by 6/12/2009. Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 05/22/2009)
06/09/2009	<u>203</u>	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Franklin M. Sachs dated 6/9/09 re: Subject to the consent of the Court, the parties have agreed that they require the weekend to adequately finish the surreplies presently due on June 12, 2009. If the Court agrees, please "so order" an extension for the filing of these surreplies to Monday, June 15, 2009. ENDORSEMENT: Do Ordered., ( Surreplies due by 6/15/2009.) (Signed by Judge Alvin K. Hellerstein on 6/9/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 06/09/2009)
06/16/2009	<u>204</u>	SECOND REPLY MEMORANDUM OF LAW in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint. Memorandum in Support of Con Edison's Right to Pursue its Claims Against Port Authority for Breach of Lease and Negligence in Connection with the Defective Design and Construction of WTC7 Atop Con Edison's Substation, and to Award Prejudgment Interest on Count III at 9% Per Year.</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>205</u>	AFFIDAVIT of Jemi M. Goulian in Support re: <u>139</u> MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint..</i> Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25, # <u>26</u> Exhibit 26)(Sachs, Franklin) (Entered: 06/16/2009)

06/16/2009	<u>206</u>	DECLARATION of Donald A. Klein in Support re: (139 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20, # <u>21</u> Exhibit 21, # <u>22</u> Exhibit 22, # <u>23</u> Exhibit 23, # <u>24</u> Exhibit 24, # <u>25</u> Exhibit 25) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 06/16/2009)
06/16/2009	<u>207</u>	DECLARATION of Franklin M. Sachs in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit 1)(Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>208</u>	DECLARATION of Colin G. Bailey in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit A)(Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>209</u>	DECLARATION of Joseph P. Colaco in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit A)(Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>210</u>	DECLARATION of Kenneth Elovitz in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit A)(Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>211</u>	MEMORANDUM OF LAW in Support re: (139 in 1:02-cv-07188-AKH) MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint. Surreply Memorandum of Law of The Port Authority of New York and New Jersey in Support of February 23, 2009, Provisional Ruling.</i> Document filed by The Port Authority of New York & New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(Jacob, Beth) (Entered: 06/16/2009)
06/16/2009	<u>212</u>	DECLARATION of Guy Nordenson in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit A)(Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>213</u>	DECLARATION of Frederick W. Mowrer in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>214</u>	DECLARATION of Joseph M. Sorge in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Attachments: # <u>1</u> Exhibit A)(Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>215</u>	AFFIDAVIT of Edward J. Rasmussen in Support re: 139 MOTION for Summary Judgment <i>as to liability on Counts Three and Four of the Second Amended Complaint.</i> .. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 06/16/2009)
06/16/2009	<u>216</u>	AFFIDAVIT OF SERVICE of Brief and Supporting Papers served on Counsel for Port Authority on June 16, 2009. Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. (Sachs, Franklin) (Entered: 06/16/2009)
06/25/2009	<u>217</u>	REPLY MEMORANDUM OF LAW in Support re: (62 in 1:04-cv-07244-AKH, 64 in 1:04-cv-07238-AKH, 62 in 1:04-cv-07294-AKH, 355 in 1:04-cv-07272-AKH, 74 in 1:04-cv-07199-AKH, 69 in 1:04-cv-07231-AKH, 60 in 1:04-cv-07246-AKH, 79 in 1:04-cv-07234-AKH, 68 in 1:04-cv-07248-AKH, 724 in 1:21-mc-00101-AKH, 67 in 1:04-cv-07299-AKH, 59 in 1:04-cv-07240-AKH, 59 in 1:04-cv-07241-AKH, 174 in 1:02-cv-07188-AKH, 90 in 1:03-cv-00131-AKH) MOTION for Summary Judgment., (725 in 1:21-mc-00101-AKH, 60 in 1:04-cv-06848-AKH) MOTION for Summary Judgment <i>Dismissing All Subrogation Claims.</i> .. Document filed by World Trade Center Properties LLC, 1 World Trade Center LLC, 3 World Trade Center LLC, 7 World Trade Company, L.P., 2 World Trade Center LLC, 4

		World Trade Center LLC. Filed In Associated Cases: 1:21-mc-00101-AKH et al.(Egan, Thomas) (Entered: 06/25/2009)
07/07/2009	218	SCHEDULING ORDER. Two hearings have been scheduled for July 15, 2009: a status conference in the 7 World Trade Center litigation, and an oral argument on the three motions for judgment dismissing the claims of all subrogated insurers in the 21 MC 101 docket and in 04 Civ. 7272. By letter dated June 29, 2009, the parties to the 7 World Trade Center actions seek to extend the fact discovery deadline from June 30, 2009 to August 31, 2009. By July 22, 2009, the parties shall submit letters (1) showing cause for any additional depositions that either party wishes to take; and (2) stating if such additional discovery would present new information relevant to the sub judice issues in 02 Civ. 7188, as described in my order of May 21, 2009. The status conference scheduled for July 15, 2009 is hereby cancelled. The conference will be rescheduled when, in light of the parties' submissions, I rule as to whether to allow additional discovery. The oral argument on the three motions concerning subrogation rights will occur as scheduled on July 15, 2009, at 2:30 p.m. Fact Discovery due by 8/31/2009. Oral Argument set for 7/15/2009 at 02:30 PM before Judge Alvin K. Hellerstein. (Signed by Judge Alvin K. Hellerstein on 7/7/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 07/07/2009)
07/24/2009	219	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Franklin M. Sachs dated 7/22/09 re: The parties submit this joint letter in response to the Court's Order of July 7, 2009 directing that the parties show cause why additional depositions are necessary. ENDORSEMENT: All fact discovery shall end by 10/30/09. A joint discovery plan identifying dates for all discovery shall be filed by 7/31/09. The parties may adjust dates within the schedule without court order, providing that the terminal date is not changed. A status conference will be held 11/12/09, 3:30pm, to discuss experts and to fix a schedule therefor, and other appropriate business. It appears that nothing in the discovery discussed in this letter or otherwise pending affects the status or merits of the pending motions., (Discovery due by 10/30/2009., Status Conference set for 11/12/2009 at 03:30 PM before Judge Alvin K. Hellerstein.) (Signed by Judge Alvin K. Hellerstein on 7/24/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 07/24/2009)
07/27/2009	220	MEMORANDUM OPINION AND ORDER # - - - - GRANTING PARTIAL JUDGMENT FOR PLAINTIFFS AND DISMISSING REMAINDER OF COMPLAINT. I grant judgment for Plaintiffs on Count Three of the Second Amended Complaint in the amount of \$17,580,750.00, the remaining balance due after the Port Authority's initial advance of \$20 million of insurance proceeds, plus pre-judgment interest in an amount to be determined. I dismiss Count Four, the reimbursement claim, and also dismiss Count One and Count Two, the tort claims. The Clerk shall mark the motion (Doc. #139) as terminated, and the case (02 Civ. 7188) as closed. (Signed by Judge Alvin K. Hellerstein on 7/27/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 07/27/2009)
07/27/2009		Transmission to Judgments and Orders Clerk. Transmitted re: (220 in 1:02-cv-07188-AKH, 865 in 1:21-mc-00101-AKH) Memorandum & Opinion, to the Judgments and Orders Clerk. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 07/27/2009)
08/12/2009	221	ENDORSED LETTER addressed to Judge Alvin K. Hellerstein from Beth D. Jacob dated 8/10/09 re: parties have reached an agreement in principle that the amount of pre-judgment interest is \$4,900,655, but we are still working out some related details. We therefore requests the Court's permission to submit a letter by the end of this week, together with an agreed-upon form of judgment. ENDORSEMENT: So Ordered. (Signed by Judge Alvin K. Hellerstein on 8/12/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(djc) (Entered: 08/12/2009)
08/14/2009	222	ORDER ADMITTING ATTORNEY PRO HAC VICE. Attorney Anita B. Weinstein for Tishman Construction Corporation of New York, Tishman Interiors Corporation and Tishman Construction Corporation admitted Pro Hac Vice. (Signed by Judge Alvin K. Hellerstein on 8/14/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 08/17/2009)
08/14/2009		Transmission to Attorney Admissions Clerk. Transmitted re: (884 in 1:21-mc-00101-AKH, 384 in 1:04-cv-07272-AKH, 51 in 1:02-cv-07328-AKH, 222 in 1:02-cv-07188-AKH) Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH, 1:04-cv-07272-AKH(rjm) (Entered: 08/17/2009)
08/14/2009	223	ORDER OF FINAL JUDGMENT #09,1553 in favor of Aegis Insurance Services, Inc., Consolidated Edison Company of New York, Inc., Liberty Insurance Underwriters, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Underwriters at Lloyds against Port Authority of New York & New Jersey in the amount of \$ 22,481,405.00. (Signed by Judge Alvin K. Hellerstein on 8/14/09) (jf) (Additional attachment(s) added on 8/17/2009: # 1 notice of right to appeal) (jf). (Entered: 08/17/2009)
08/17/2009	224	MOTION for Summary Judgment Notice of the Port Authority's Motion for Summary Judgment on Deemed Third-Party Claim Against Citigroup Defendants for Indemnification. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	225	MEMORANDUM OF LAW in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment. Memorandum of Law in Support of The Port Authority's Motion for Summary Judgment on Deemed Third-Party Claim Against Citigroup Defendants for Indemnification. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	226	RULE 56.1 STATEMENT. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)

08/17/2009	<u>227</u>	DECLARATION of Jill L. Berry in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment.. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	<u>228</u>	DECLARATION of JILL L. BERRY in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment.. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. (Attachments: # <u>1</u> Exhibit 1 through 4)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	<u>229</u>	DECLARATION of JILL L. BERRY in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment.. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. (Attachments: # <u>1</u> Exhibit 5 through 10)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	<u>230</u>	DECLARATION of JILL L. BERRY in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment.. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. (Attachments: # <u>1</u> Exhibit 11 through 16)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	<u>231</u>	DECLARATION of JILL L. BERRY in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment.. Document filed by The Port Authority of New York & New Jersey. (Attachments: # <u>1</u> Exhibit 17 through 24)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	<u>232</u>	DECLARATION of JILL L. BERRY in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment.. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. (Attachments: # <u>1</u> Exhibit 25 through 33)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/17/2009	<u>233</u>	DECLARATION of JILL L. BERRY in Support re: (52 in 1:02-cv-07328-AKH, 224 in 1:02-cv-07188-AKH, 886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment.. Document filed by The Port Authority of New York & New Jersey, The Port Authority of New York and New Jersey. (Attachments: # <u>1</u> Exhibit 34 through 39)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Jacob, Beth) (Entered: 08/17/2009)
08/21/2009	<u>234</u>	NOTICE OF APPEAL from 223 Judgment, Document filed by Aegis Insurance Services, Inc., Liberty International Services, Inc., National Union Insurance Company of Pittsburgh, Nuclear Electric Insurance Limited, Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Consolidated Edison Company of New York, Inc.. Filing fee \$ 455.00, receipt number E 697931. (nd) (Entered: 08/24/2009)
08/24/2009		Transmission of Notice of Appeal to the District Judge re: 234 Notice of Appeal,. (nd) (Entered: 08/24/2009)
08/24/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 234 Notice of Appeal,. (nd) (Entered: 08/24/2009)
09/10/2009	<u>235</u>	SATISFACTION OF JUDGMENT #09,1553 re: (223 in 1:02-cv-07188-AKH) Judgment, entered In favor of Consolidated Edison Company of New York, Inc. Against Port Authority of New York & New Jersey, In favor of Aegis Insurance Services, Inc. Against Port Authority of New York & New Jersey, In favor of Liberty Insurance Underwriters, Inc. Against Port Authority of New York & New Jersey, In favor of Underwriters at Lloyds Against Port Authority of New York & New Jersey, In favor of National Union Insurance Company of Pittsburgh Against Port Authority of New York & New Jersey, In favor of Nuclear Electric Insurance Limited Against Port Authority of New York & New Jersey in the amount of \$17,580,750.00. plus pre-judgment interest of \$4,900,655. Judgment satisfied on 9/9/09. Document filed by The Port Authority of New York & New Jersey.Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH(rjm) (Entered: 09/18/2009)
09/16/2009		USCA Case Number 09-3603-cv from the U.S. Court of Appeals, Second Circuit assigned to 234 Notice of Appeal, filed by Nuclear Electric Insurance Limited, Consolidated Edison Company of New York, Inc., National Union Insurance Company of Pittsburgh, Liberty International Services, Inc., Liberty Insurance Underwriters, Inc., Underwriters at Lloyds, Aegis Insurance Services, Inc.. (nd) (Entered: 09/16/2009)
10/07/2009	<del>-</del> <u>236</u>	MOTION for Summary Judgment /Notice of Motion for Summary Judgment in Favor of Citigroup Inc. and Citigroup Global Markets Holdings Inc. on Port Authority's Motion for Summary Judgment on its Deemed Third-Party Indemnification Claim, dated October 7, 2009. Document filed by Citigroup, Inc., Citigroup Global Markets Holdings Inc., Salomon Smith Barney Holdings, Inc., Salomon Inc., Citigroup Inc., Salomon Smith Barney Holdings Inc..Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Moore, Christopher) (Entered: 10/07/2009)
10/07/2009	<u>237</u>	MEMORANDUM OF LAW re: (948 in 1:21-mc-00101-AKH) MOTION for Summary Judgment /Notice of Motion for Summary Judgment in Favor of Citigroup Inc. and Citigroup Global Markets Holdings Inc. on Port Authority's Motion for Summary Judgment on its Deemed Third-Party Indemnification Claim, dated Oct, (886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment Notice of the Port Authority's Motion for Summary Judgment on Deemed Third-Party Claim Against Citigroup Defendants for Indemnification. [Citigroup Inc. and Citigroup Global Markets Holdings Inc.'s Memorandum of Law in Opposition to Port Authority's Motion for Summary Judgment on Deemed Third-Party Indemnification Claim and in Support of Cross-Motion for Summary Judgment Dismissing Port Authority's Deemed Third-Party Indemnification Claim, dated October 7, 2009]. Document filed by Citigroup, Inc.,

		<i>Citigroup Global Markets Holdings Inc., Salomon Smith Barney Holdings, Inc., Salomon Inc., Citigroup Inc., Salomon Smith Barney Holdings Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Moore, Christopher) (Entered: 10/07/2009)</i>
10/07/2009	<u>238</u>	RULE 56.1 STATEMENT. Document filed by Citigroup, Inc; Citigroup Global Markets Holdings Inc., Salomon Smith Barney Holdings, Inc., Salomon Inc., Citigroup Inc., Salomon Smith Barney Holdings Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Moore, Christopher) (Entered: 10/07/2009)
10/07/2009	<u>239</u>	COUNTER STATEMENT TO (888 in 1:21-mc-00101-AKH, 226 in 1:02-cv-07188-AKH, 54 in 1:02-cv-07328-AKH) Rule 56.1 Statement. Document filed by Citigroup, Inc., Citigroup Global Markets Holdings Inc., Salomon Smith Barney Holdings, Inc., Salomon Inc., Citigroup Inc., Salomon Smith Barney Holdings Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Moore, Christopher) (Entered: 10/07/2009)
10/07/2009	<u>240</u>	AFFIDAVIT of Christopher P. Moore Pursuant to Fed. R. Civ. 56(f) in Response to Port Authority's Motion for Summary Judgment on Deemed Third-Party Claim Against Citigroup Defendants for Indemnification, sworn to on October 7, 2009 re: (886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment <i>Notice of the Port Authority's Motion for Summary Judgment on Deemed Third-Party Claim Against Citigroup Defendants for Indemnification</i> . Document filed by Citigroup, Inc., Citigroup Global Markets Holdings Inc., Salomon Smith Barney Holdings, Inc., Salomon Inc., Citigroup Inc., Salomon Smith Barney Holdings Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Moore, Christopher) (Entered: 10/07/2009)
10/07/2009	<u>241</u>	DECLARATION of Kristen M. Santillo in Support of Citigroup's Motion for Summary Judgment and in Opposition to Port Authority's Motion for Summary Judgment on its Deemed Third-Party Indemnification Claim, Dated October 7, 2009 re: (948 in 1:21-mc-00101-AKH) MOTION for Summary Judgment / <i>Notice of Motion for Summary Judgment in Favor of Citigroup Inc. and Citigroup Global Markets Holdings Inc. on Port Authority's Motion for Summary Judgment on its Deemed Third-Party Indemnification Claim</i> , dated Oct, (886 in 1:21-mc-00101-AKH) MOTION for Summary Judgment Notice of the Port Authority's Motion for Summary Judgment on Deemed Third-Party Claim Against Citigroup Defendants for Indemnification.. Document filed by Citigroup, Inc., Citigroup Global Markets Holdings Inc., Salomon Smith Barney Holdings, Inc., Salomon Inc., Citigroup Inc., Salomon Smith Barney Holdings Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U, # <u>22</u> Exhibit V)Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Moore, Christopher) (Entered: 10/07/2009)
10/08/2009	<u>242</u>	STIPULATION AND ORDER REGARDING BRIEFING SCHEDULE. IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys for the parties hereto, that with regard to the Port Authority Motion and the Citigroup Motion, the briefing schedule is as follows: 1. Citigroup shall serve the Citigroup Motion and any opposition to the Port Authority Motion on or before October 7, 2009. 2. The Port Authority shall serve its reply in support of the Port Authority Motion and any opposition to the Citigroup Motion on or before November 17, 2009. 3. Citigroup shall serve its reply in support of the Citigroup Motion on or before December 22, 2009. (Signed by Judge Alvin K. Hellerstein on 10/7/09) Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(rjm) (Entered: 10/08/2009)
10/09/2009	<u>243</u>	CERTIFICATE OF SERVICE of Andrew M. Scott on October 7, 2009. Service was made by hand and email. Document filed by Citigroup, Inc., Citigroup Global Markets Holdings Inc., Salomon Smith Barney Holdings, Inc., Salomon Inc.. Filed In Associated Cases: 1:21-mc-00101-AKH, 1:02-cv-07188-AKH, 1:02-cv-07328-AKH(Moore, Christopher) (Entered: 10/09/2009)